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2	Frank Sorrell	Syracuse	Auctioneer, Realtor, Insurance	Otoe, Nemaha
3	Tom Dooley	Papillion	Abstracter, Real Estate, Insurance	Sarpy, Cass
4	William J. Norman	Omaha	Printer, Publisher	Douglas
5	Harry A. Foster	Omaha	Dentist	Douglas
6	Sam Klaver	Omaha	Attorney and Publisher	Douglas
7	Charles F. Tvrdik	Omaha	Transportation	Douglas
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9	Sidney J. Cullingham	Omaha	Real Estate	Douglas
10	Cliff N. Ogden	Omaha	Finance and Insurance	Douglas
11	Earl J. Lee	Fremont	Attorney	Dodge, Washington
12	George C. Weborg	Pender	Farmer and Livestock Feeder	Cuming, Burt
13	Louis M. Jeppesen	Hubbard	Farmer, Stockman	Dakota, Thurston, Dixon
14	Martin J. Mischke	Crofton	Farmer, Rancher	Cedar, Knox
15	[1]H. G. Greenamyre	Norfolk	Lawyer	Pierce, Madison
16	William A. Crossland	Wayne	Lawyer	Stanton, Wayne, Colfax
17	A. J. Brodahl	Wahoo	Garage	Butler, Saunders
18	H. P. Heiliger	Lincoln	Real Estate and Stock Raising	Lancaster
19	George I. Craven	Lincoln	Lawyer	Lancaster
20	C. Petrus Peterson	Lincoln	Lawyer	Lancaster
21	Ladd J. Hubka	Beatrice	Lawyer	Gage
22	J E Conklin	Hubbell	Banker, Lumber, Farming, Insurance	Thayer, Jefferson

MEMBERS (Concluded)

Dist.	Name	Address	Occupation	Counties
23	John E. Mekota	Crete	Attorney	Fillmore, Saline
24	Stanley A. Matzke	Seward	Lawyer	York, Seward
25	Ray Thomas	Clay Center	Hatchery and Farmer	Hamilton, Polk, Clay
26	Dudley E. Thompson	Genoa	Lawyer	Nance, Platte
27	Elmer C. Rakow	Neligh	Lawyer	Antelope, Boone
28	Tony Asimus	O'Neill	Grocery, Oil Business and Farming	Holt, Boyd, Keya Paha, Rock
29	John F. Doyle	Greeley	Merchant	Wheeler, Greeley, Valley, Howard
30	Walter R. Raecke	Central City	Lawyer	Hall, Merrick
31	[2]Harry E. Bowman	Hastings	Real Estate	Kearney, Adams
32	Daniel Garber	Red Cloud	Farmer	Franklin, Nuckolls, Webster
33	E. M. Neubauer	Orleans	Farmer, Stockman	Harlan, Furnas, Red Willow
34	Fred A. Mueller	Kearney	Automobile Dealer	Buffalo, Sherman
35	Harry F. Burnham	Ansley	Farmer and Ranchman	Custer, Loup, Garfield
36	D. S. Anderson	Lexington	Farming and Livestock	Dawson, Gosper, Phelps
37	Arthur Carmody	Trenton	Farmer, Realtor	Perkins, Chase, Hayes, Dundy, Hitchcock
38	Robert B. Crosby	North Platte	Lawyer	Lincoln, Frontier
39	Carl P. Jeffords	Mullen	Rancher	Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan, Blaine
40	Don E. Hanna	Brownlee	Cattle Rancher	Cherry, Sheridan, Brown
41	Harry E. Gantz	Alliance	Attorney	Dawes, Box Butte, Sioux
42	James H. Anderson	Scottsbluff	Lawyer	Scotts Bluff
43	Tom C. Osborne	Bayard	Farmer	Banner, Kimball, Cheyenne, Morrill

[1] Resigned, June 1, 1943.

[2] Deceased, June 18, 1943.

APPORTIONMENT

Legislative Districts

District No. 1. The counties of Johnson, Pawnee, Richardson.

District No. 2. The counties of Otoe and Nemaha.

District No. 3. The counties of Sarpy and Cass.

District No. 4. Includes the following territory in the county of Douglas and the city of Omaha: All north of Bedford Avenue to Evans St. between 43rd, and 48th St.; all north of Evans St. between 44th St. and 48th St.; all north of Paxton St. between 44th St. and Florence Blvd.; all north of Ames Ave. between Florence Blvd. and the eastern corporate limits.

District No. 5. Includes the following territory in the county of Douglas and the city of Omaha: All north from Blondo Street to Lake between 49th and 50th Streets; north from Charles to Lake between 48th and 49th Streets; north from Charles to Bedford Ave. between 43rd and 48th Streets; north from Charles to Evans between 36th and 43rd Sts.; north from Evans to Paxton between 36th and 44th Streets; north from Cuming to Paxton St. between 30th and 36th Streets; north from Indiana to Paxton between 24th and 30th Streets; north from Nicholas to Paxton between 24th St. and Florence Blvd.; north from Nicholas to Ames between 16th St. and Florence Blvd.; north of Charles to Ames between 16th St. and the eastern corporate limits; and east Omaha.

District No. 6. Includes the following territory in the county of Douglas and the city of Omaha: All north of Pacific to Leavenworth, between Park Ave. and 30th St.; north from Pacific to Farnam between 20th St. and Park Ave.; north from Farnam to Indiana, between 24th and 40th Streets; north from Pacific to Nicholas, between 20th and 24th Streets; north from Pierce to Nicholas, between 16th and 20th Streets; north from Hickory to Charles between 10th and 16th Streets; north from Pine to Charles, between 10th Street and the eastern corporate limits.

District No. 7. Includes the following territory in the county of Douglas and the city of Omaha: All north from Hickory St. to Woolworth Ave., between 29th St. and Park Ave.; north from Hickory to Poppleton Ave., between 28th and 29th Streets; north from Hickory to Pacific, between 25th Ave. and 28th St.; north from Center to Pacific, between 24th St. and 25th Ave.; north from Center to Pacific, betweeen 20th and 24th Streets; north from Center to Pierce, between 16th and 20th Streets; north from Center to Hickory, between 10th and 16th Streets; north from Center to Pine, between 10th Street and the eastern corporate limits; north from G to Center, between the Burlington RR east to the corporate limits; north from H to G, between the Burlington RR and 27th Street; all south of G, to the corporate limits, between 24th St. and its extension to the Burlington on U St., east to the corporate limits.

District No. 8. Includes the following territory in the county of Douglas and the city of Omaha: North from Woolworth Ave. to Pacific St., betweeen 63rd and 66th Streets; north from Center to Pacific, between 60th and 63rd Sts.; north from Spring to Pacific, between 52nd and 60th Streets; north from F to Pacific, between

46th Ave. and 52nd St.; north from F to Pacific, between 42nd St. to 46th Ave.; north from F to Center, between 42nd St. and the Burlington RR; north from Center to Leavenworth, between 30th and 42nd Streets; north from Poppleton Ave., to Pacific St., between 28th and 30th Streets; north from Woolworth to Poppleton, between 29th and 30th Streets; north from Hickory to Woolworth, between Park Ave. and 30th St.; north from Center to Hickory, between 25th Ave. and 30th St.; north from H to F, between 42nd St. and the Burlington RR; north from H to G, between 24th and 27th Sts.; north from Madison to H, between 42nd and 24th and its extension to the RR; north from Harrison to Madison, between 45th St., and the Burlington RR.

District No. 9. Includes the following territory in the county of Douglas and the city of Omaha: North from Pacific to Howard, between the western corporate limits and 60th St.; north from Pacific to Dodge, between 56th and 60th Streets; north from Pacific to Charles, between the western corporate limits and 56th Ave.; north from Leavenworth to Charles, between 46th Ave. and 36th Street; north from Leavenworth to Cuming, between 30th and 36th Streets; north from Leavenworth to Farnam, between 30th and Park Ave.

District No. 10. Includes the following territory in the county of Douglas and the city of Omaha: North from Charles to Blondo, between western corporate limits and 49th St.; north from Blondo to Lake, between 66th St. and 50th Streets; all north of Lake between 72nd St. and 48th St.; and all of the rural precincts.

District No. 11. Includes Dodge and Washington.

District No. 12. Includes Cuming and Burt.

District No. 13. Includes Dakota, Thurston and Dixon.

District No. 14. Includes Cedar and Knox.

District No. 15. Includes Pierce and Madison.

District No. 16. Includes Stanton, Wayne and Colfax.

District No. 17. Includes Butler and Saunders.

District No. 18. Includes the following territory in the county of Lancaster and the city of Lincoln: All north of Potter between 22nd and 29th; all north of Vine between 29th and 58th; all north of R between 58th and 63rd; all east of 63rd within the corporate limits of the city of Lincoln; all of the county precincts of Lancaster county except Garfield.

District No. 19. Includes the following territory in the county of Lancaster and the city of Lincoln: Territory west of 29th between Potter and Vine to 22nd; west of 28th between Vine and O to 22nd; west of 27th betweeen O and Randolph to 22nd; west of 22nd and north of Randolph and extension thereof on G to 14th, and west of 17th, between G and D to 14th, all west of 14th, and north of A to corporate limits, and Garfield precinct of Lancaster county.

District No. 20. Includes the following territory in the county of Lancaster and the city of Lincoln: All west of 14th, and south of A to corporate limits, all south of D between 14th and 17th, all south of G and its extension on Randolph between 17th and 22nd, all south of Randolph between 22nd and 27th, all south of Vine between 28th and 33rd to O, all east of 33rd between Vine and O, all east of 27th between O and Randolph, all south of Randolph and east of 27th to corporate limits.

District No. 21.	The county of Gage.
District No. 22.	The counties of Thayer and Jefferson.
District No. 23.	The counties of Fillmore and Saline.
District No. 24.	The counties of York and Seward.
District No. 25.	The counties of Hamilton, Polk and Clay.
District No. 26.	The counties of Nance and Platte.
District No. 27.	The counties of Antelope and Boone.
District No. 28.	The counties of Holt, Boyd, Keya Paha and Rock.
District No. 29.	The counties of Wheeler, Greeley, Valley and Howard.
District No. 30.	The counties of Hall and Merrick.
District No. 31.	The counties of Kearney and Adams.
District No. 32.	The counties of Franklin, Webster and Nuckolls.
District No. 33.	The counties of Harlan, Furnas and Red Willow.
District No. 34.	The counties of Buffalo and Sherman.
District No. 35.	The counties of Custer, Loup and Garfield.
District No. 36.	The counties of Dawson, Gosper and Phelps.
District No. 37.	The counties of Perkins, Chase, Hayes, Dundy and Hitchcock.
District No. 38.	The counties of Lincoln and Frontier.
District No. 39.	The counties of Keith, Deuel, Garden, Arthur, Grant, Hooker, McPherson, Thomas, Logan and Blaine.
District No. 40.	The counties of Cherry, Sheridan and Brown.
District No. 41.	The counties of Dawes, Box Butte and Sioux.
District No. 42.	The county of Scotts Bluff.
District No. 43.	The counties of Banner, Kimball, Cheyenne and Morrill.

Judicial Districts

District No. 1 shall consist of the counties of Johnson, Pawnee, Nemaha and Richardson.

District No. 2 shall consist of the counties of Sarpy, Cass and Otoe.

District No. 3 shall consist of the county of Lancaster.

District No. 4 shall consist of the counties of Burt, Washington and Douglas.

District No. 5 shall consist of the counties of Hamilton, Polk, York, Butler, Seward and Saunders.

District No. 6 shall consist of the counties of Boone, Nance, Merrick, Platte, Colfax and Dodge.

District No. 7 shall consist of the counties of Fillmore, Saline, Thayer and Nuckolls.

District No. 8 shall consist of the counties of Thurston, Dakota, Dixon and Cedar.

District No. 9 shall consist of the counties of Knox, Antelope, Cuming, Pierce, Madison, Stanton and Wayne.

District No. 10 shall consist of the counties of Phelps, Kearney, Adams, Harlan, Franklin, Webster and Clay.

District No. 11 shall consist of the counties of Hall, Howard, Greeley, Valley, Wheeler, Garfield, Loup, Grant, Hooker, Thomas and Blaine.

District No. 12 shall consist of the counties of Custer, Sherman, Logan and Buffalo.

District No. 13 shall consist of the counties of McPherson, Lincoln, Deuel, Cheyenne, Kimball, Dawson, Keith, Banner and Arthur.

District No. 14 shall consist of the counties of Chase, Hayes, Frontier, Gosper, Furnas, Red Willow, Hitchcock, Perkins and Dundy.

District No. 15 shall consist of the counties of Brown, Keya Paha, Boyd, Rock and Holt.

District No. 16 shall consist of the counties of Cherry, Sheridan, Dawes, Box Butte and Sioux.

District No. 17 shall consist of the counties of Garden, Morrill and Scotts Bluff.

District No. 18 shall consist of the counties of Jefferson and Gage.

Provided, in the fourth district there shall be nine judges of the district court; in the third district there shall be four judges of the district court; in the fifth, sixth, ninth, tenth and eleventh districts there shall be two judges of the district court in each of said districts; in the thirteenth district there shall be two judges of the district court; in all other districts there shall be one judge of the district court in each of such other districts.

LEGISLATIVE SESSIONS SINCE THE LEGISLATURE ORGANIZED

First session. Held at Omaha, the State Capital, on July 4, A.D., 1866. Adjourned July 11, 1866. Session eight days. Convened in compliance with adoption of the Constitution. Membership consisted of thirteen senators and thirty-nine representatives elected from the territorial districts.

Second session. (Special). Held at Omaha, the State Capital, February 20, 1867, and adjourned February 21, 1867. Session two days. Session was called to consider certain conditions made by act of Congress for the admission of Nebraska into the Union.

Third session. (Special) Held at Omaha, the State Capital, May 16, 1867, and adjourned June 24, 1867. Session forty days. Session called by the Governor to carry out provisions of the new Constitution.

Fourth session. (Special) Held at Omaha, the State Capital, October 27, 1868. Adjourned October 28, 1868. Session two days. Called to provide for the election of Presidential and Vice-presidential electors.

Fifth session. (Special) Held at Lincoln, the State Capital, January 7, 1869. Adjourned February 15, 1869. Session forty days.

Sixth session. (Special) Held at Lincoln, where the State Capital was permanently located. Convened February 17, 1870. Adjourned March 4, 1870. Session sixteen days. Called to ratify the proposed Fifteenth Amendment to the Constitution of the United States, and special business.

Seventh session. (Special) Convened March 4, 1870. Adjourned March 4, 1870. Session one day.

Eighth session. Convened January 5, 1871. Adjourned on the 29th of March to the 30th of May for the purpose of sitting as a court to try impeachment proceedings against Governor Butler. On June 7, 1871, adjourned a second time until January 9, 1872, for the purpose of trying impeachment proceedings against Auditor John Gillespie. Adjourned January 26, 1872. Session 110 days.

Session	Convened	Adjourned
Ninth	Jan. 9, 1873	Mar. 4, 1873
Tenth (Special)	Mar. 27, 1873	Mar. 29, 1873
Eleventh	Jan. 7, 1875	Feb. 25, 1875
Twelfth (Special)	Dec. 5, 1876	Dec. 5, 1876
Thirteenth (Special)	Dec. 5, 1876	Dec. 5, 1876
Fourteenth	Jan. 2, 1877	Feb. 15, 1877
Fifteenth	Jan. 7, 1879	Feb. 25, 1879
Sixteenth	Jan. 4, 1881	Feb. 26, 1881
Seventeenth (Special)	May 10, 1882	May 24, 1882
Eighteenth	Jan. 2, 1883	Feb. 26, 1883
Nineteenth	Jan. 6, 1885	Mar. 5, 1885

Session	Convened	Adjourned
Twentieth	Jan. 4, 1887	Mar. 31, 1887
Twenty-first	Jan. 1, 1889	Mar. 30, 1889
Twenty-second	Jan. 6, 1891	Apr. 4, 1891
Twenty-third	Jan. 3, 1893	Apr. 8, 1893
Twenty-fourth	Jan. 1, 1895	Apr. 5, 1895
Twenty-fifth	Jan. 5, 1897	Apr. 9, 1897
Twenty-sixth	Jan. 3, 1899	Mar. 31, 1899
Twenty-seventh	Jan. 1, 1901	Mar. 28, 1901
Twenty-eighth	Jan. 6, 1903	Apr. 8, 1903
Twenty-ninth	Jan. 3, 1905	Mar. 30, 1905
Thirtieth	Jan. 1, 1907	Apr. 4, 1907
Thirty-first	Jan. 5, 1909	Apr. 1, 1909
Thirty-second	Jan. 3, 1911	Apr. 6, 1911
Thirty-third	Jan. 7, 1913	Apr. 16, 1913
Thirty-fourth	Jan. 5, 1915	Apr. 8, 1915
Thirty-fifth	Jan. 2, 1917	Apr. 24, 1917
Thirty-sixth (Special)	Mar. 26, 1918	Apr. 8, 1918
Thirty-seventh	Jan. 7, 1919	Apr. 17, 1919
Thirty-eighth (Special)	July 29, 1919	Aug. 2, 1919
Thirty-ninth (Special)	Oct. 14, 1919	Oct. 18, 1919
Fortieth	Jan. 4, 1921	Apr. 28, 1921
Forty-first (Special)	Jan. 24, 1922	Feb. 2, 1922
Forty-second	Jan. 2, 1923	May 2, 1923
Forty-third	Jan. 6, 1925	Apr. 1, 1925
Forty-fourth	Jan. 4, 1927	Apr. 23, 1927
Forty-fifth	Jan. 1, 1929	Apr. 24, 1929
Forty-sixth (Special)	Mar. 4, 1930	Mar. 15, 1930
Forty-seventh	Jan. 6, 1931	May 2, 1931
Forty-eighth (Special)	June 9, 1931	June 20, 1931
Forty-ninth	Jan. 3, 1933	May 9, 1933
Fiftieth	Jan. 1, 1935	May 25, 1935
Fifty-first (Special)	Oct. 28, 1935	Nov. 25, 1935
Fifty-second	Jan. 5, 1937	May 15, 1937
Fifty-third	Jan. 3, 1939	June 7, 1939
Fifty-fourth (Special)	Jan. 2, 1940	Jan. 13, 1940
Fifty-fifth	Jan. 7, 1941	May 23, 1941
Fifty-sixth	Jan. 5, 1943	May 28, 1943

RULES OF THE NEBRASKA LEGISLATURE

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RULE 1

Authority

Gregg's Handbook of Parliamentary Law. The rules of parliamentary practice comprised in Gregg's Handbook of Parliamentary Law, Rev. Ed. c 1940, shall govern the Legislature in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Legislature.

For amendment and suspension of rules, see Rule 18.

RULE 2

Presiding Officer

Section 1. Presiding Officer: Lieutenant Governor, Speaker. The Lieutenant Governor shall preside as president of the Legislature, and the Speaker shall preside when the Lieutenant Governor shall be absent, incapacitated or shall act as Governor. (Const. Art. III, Sec. 10). All references herein made to the President shall be construed as meaning also the Speaker whenever he may preside.

Sec. 2. Chairman of Judiciary Presides, When. In the absence of both the Lieutenant Governor and the Speaker, the chairman of the Judiciary Committee shall preside, and shall exercise all the powers herein conferred on the President, except the authority to sign bills or resolutions passed by the Legislature.

Sec. 3. Member Presides, When. The president shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment.

Sec. 4. President Calls Legislature to Order: Quorum. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these rules. A majority of the members elected to the Legislature shall constitute a quorum. Const. Art. III, Sec. 10.

Sec. 5. Absence of Quorum. If the President finds that a number less than a quorum is present, he shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the Legislature.

Sec. 6. President to Preserve Order. The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Sec. 7. Point of Order, President Decides: Appeal. The President may speak to a point of order in preference to members, rising from his seat for that purpose, and shall decide the questions of order, subject to an appeal to the Legislature by any member, on which appeal no member may speak more than once, unless by leave of the Legislature.

Sec. 8. Putting Question. The President shall rise to put a question, but he may state it sitting.

Sec. 9. President Shall Sign Bills, Etc. The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature (Const. Art. III, Sec. 14). All writs, warrants and subpoenas issued by order of the Legislature shall be under his hand and seal, attested by the Clerk.

Sec. 10. Lieutenant Governor Votes, When. The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided. Const. Art. III, Sec. 10.

RULE 3

Officers Elected and Their Duties: Recall

Sec. 1. Nomination and Election. At the commencement of each regular session the Legislature shall nominate by informal ballot and shall elect by ballot the following officers:

Speaker.
Clerk of the Legislature.
Assistant Clerk.
Sergeant-at-arms.
Doorkeeper—Ass't. Sergeant-at-arms.
Postmaster.
Chaplain.

Sec. 2. Officers, Vote Necessary to Elect. A majority vote of the elected members shall be required for the election of each such officer.

Sec. 3. Recall of Officers. Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature, and the vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Oath of Officers. Each permanent officer shall take an oath to support the constitution of the United States, and the constitution of the state of Nebraska, and to discharge faithfully the duties of his office according to the best of his ability.

Sec. 5. Duties of Officers, General. In general the duties of the officers of the Legislature shall be those usual to such officers.

Sec. 6. Speaker. Duties, see Rule 2.

Speaker is member of Reference Committee. Rule 15, Sec. 1.

Sec. 7. Clerk of the Legislature, Duties. The Clerk of the Legislature shall keep a brief but accurate daily journal of the proceedings of the Legislature. Const. Art. III, Sec. 11.

See Daily Journal. Rule 9.

Sec. 8. Assistant Clerk, Duties. The Assistant Clerk, in the absence of the Clerk, shall be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

Sec. 9. Sergeant-at-arms, Duties. The Sergeant-at-arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the legislative chamber.

Sec. 10. Assistant Sergeant-at-arms, Duties. The Assistant Sergeant-at-arms shall assist the Sergeant-at-arms and, in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms.

Sec. 11. Postmaster, Duties. The Postmaster shall superintend the post office kept in the capitol for the accommodation of the members, and shall be responsible for the prompt and safe delivery of their mail.

Sec. 12. Chaplain, Duties. The Chaplain shall attend and shall open with prayer each day's sitting of the Legislature.

RULE 4

Employees

Employees, Selection and Duties.

See Legislative Administration. Rule 6, Sec. 5.

RULE 5

Members: Attendance, Decorum and Debate

Sec. 1. Presence of Members Required. Every member shall be present within the Legislative chamber during the sittings of the Legislature and shall attend the regular meetings of the standing committees of which he is a member, unless excused or necessarily prevented.

Sec. 2. Presence of Member May be Compelled. The presence of any member may be compelled, if necessary, by sending the Sergeant-at-arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for non-attendance is made as the Legislature may judge sufficient; and in that case the expense shall be paid out of the contingent fund.

See call of the Legislature. Rule 10, Sec. 8.

Sec. 3. Absence of Member May be Explained. Upon the completion of the roll call on the final passage of a bill, any member may explain the absence of any other member, and if requested in writing by the absent member to do so, may state how he would have voted if present, and such statement, if submitted to the Clerk in writing, and containing not more than thirty words, shall be entered in the daily journal.

Sec. 4. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. Const. Art. III, Sec. 10.

Sec. 5. Decorum: Members May Speak Only When Recognized by President. When a member desires to speak in debate or to deliver any matter to the Legislature, he shall rise from his seat and respectfully address himself to "Mr. President". A member shall speak only when recognized and shall confine himself to the question before the Legislature.

Sec. 6. Decorum: Abusive Language and Interruptions Prohibited. No member shall speak to another who has the floor, except when he may yield to a question, or otherwise interrupt the business of the Legislature. No member shall rise to a question of privilege for the introduction of guests while a member is speaking. No member shall use profane or abusive language when speaking to or about another member.

Sec. 7. Decorum: During Third Reading. Members shall remain in their seats during the third reading of a bill and until the vote thereon has been announced, except when excused by the President.

Sec. 8. Transgression of Rules: Call to Order. If any member, in speaking or otherwise, transgress the rules of the Legislature, the presiding officer shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Call to Order: Words Excepted to Must Be Indicated. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature; but he shall not be held to answer, nor be subject to the censure of the Legislature therefor, if further debate or other business shall have intervened.

Sec. 10. Debate; Limitations, Proponent May Close. No member shall speak more than twice upon any one question in debate during the same legislative day, without leave of the Legislature, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken.

For right of proponent to close debate when previous question ordered, see Rule 11, Sec. 11.

Sec. 11. Explanation of Vote Permitted. A member shall be permitted to explain his vote on roll call upon any question, but such explanation shall be limited to fifty words, and shall not be entered in the daily journal unless the same be submitted to the Clerk in writing.

RULE 6

Committees

Sec. 1. Committee On Committees. At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large, who shall be chairman, and three from each congressional district to be nominated by the members residing therein.

Chairman is member of Reference Committee for bills and resolutions. Rule 15, Sec. 1.

Committee on Committees is reference committee on nominations by Governor. Rule 15, Sec. 2.

Sec. 2. Committee On Committees Shall Recommend Standing Committees, Designate Chairmen. The Committee on Committees, by a majority vote of all of its members, shall recommend to the Legislature for its approval and adoption the following standing committees, each with the number of members as hereinafter set forth, one of whom shall be designated by the Committee on Committees as chairman thereof:

Agriculture, including conservation, fish and game, live stock and grazing	9 members
Appropriations, including finance, ways and means, and state institutions	11 members
Banking, Commerce and Insurance	9 members
Claims and Deficiencies	5 members
Education, including university and normal schools and libraries, and school lands and funds	9 members
Enrollment and Review, including arrangement, phraseology and correlation	5 members
Government, including state, county and municipal governments, elections and apportionment	9 members
Judiciary	9 members
Labor and Public Welfare, including social security and child labor	9 members
Legislative Administration, including employees, printing, audit and accounts. This committee shall consist of one member from each congressional district and one member at large who shall be its chairman See Rule 6, Secs. 5 to 8.	5 members
Public Health and Miscellaneous Subjects	5 members
Public Works	9 members
Revenue, including taxation, salaries, licenses and fees	9 members
Rules, including procedure and order of business	5 members

Sec. 3. Committee On Committees Shall Select Other Committees. The Committee on Committees shall select, aside from the standing committees of the Legislature, all other committees, except where otherwise ordered by the Legislature.

Sec. 4. Committee on Committees Shall Arrange and Publish Schedules of Standing Committee Hearings. The Committee on Committees shall arrange and publish a schedule of regular standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to such committees, and shall cause a copy of such schedule to be posted in some conspicuous place in the capitol near the legislative chamber.

Sec. 5. Legislative Administration: Employment, Supervision and Discharge of Employees; Employees Selected Without Regard to Party

Affiliation. The Committee on Legislative Administration shall have authority to select and employ suitable persons for all of the positions which may be determined upon as necessary by the Legislature, and shall have complete supervision of all employees, including the right to discharge any one or more of them. All employees shall be selected without reference to party affiliation and shall be chosen upon the basis of merit.

Sec. 6. Legislative Administration: Printing. The Committee on Legislative Administration shall print no paper or document, except bills and the daily journal, unless authorized by a majority vote of the elected members of the Legislature.

Sec. 7. Legislative Administration: Reports to Legislature. The Committee on Legislative Administration shall make a detailed and itemized report to the Legislature each month, concerning the number of employees, and the amount paid for their services, especially setting out the amount of regular time and overtime, and to whom paid.

Sec. 8. Legislative Administration Has Charge of Quarters for Legislature. The Committee on Legislative Administration shall have general charge, except as may be provided by law or by rule, of such parts of the capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

Sec. 9. Enrollment and Review, Privileged Committee. The Committee on Enrollment and Review shall be a privileged committee, and shall be in order at any time in reporting bills which have been engrossed for third reading and final passage.

Sec. 10. Enrollment and Review; Authority to Make Corrections. The Committee on Enrollment and Review shall have authority, without being required to include the same specifically in their reports and recommendations to the Legislature, in accord with accepted usage:

a. To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in general file, select file and specific amendments.

b. To underscore or remove underscoring, as the case requires, in standing committee reports and in general file, select file and specific amendments.

Committee on Enrollment and Review to give preference to bills readvanced from general file after having been recommitted from select file. Rule 13, Sec. 8-d.

Reference Committees:

For bills and resolutions, see Rule 15, Sec. 1.

For nominations by Governor, see Rule 15, Sec. 2.

For amendment of rules, see Rule 18.

RULE 7

Committee Hearings and Reports, Officers

Sec. 1. Vice Chairman. Each standing committee shall elect from its membership a vice chairman to serve in the absence of the chairman.

Chairman designated by Committee on Committees. Rule 6, Sec. 2.

Sec. 2. Committee Hearings, Time. Standing committees shall meet at 2:00 p. m., unless otherwise ordered by the Legislature.

Sec. 3. Committee Hearings, Notice. Before taking final action on a bill or resolution, a committee shall hold a public hearing thereon and shall give at least five calendar days notice, by publication in the Legislative Journal, of the date and time of said hearing.

Sec. 4. Committees May Combine and Correlate Bills, Adopt Amendments. Standing Committees shall be authorized to combine and to correlate the provisions of different bills referred to them and related to the same subject under the number of one of the correlated bills, and may, before taking final action on any bill, adopt amendments thereto, for the consideration of the Legislature.

Sec. 5. Record of Committee Proceedings. Each standing committee shall keep a record of its proceedings. Any two members of the committee may demand a roll call upon the reporting of any bill, or upon amendments thereto. The vote so taken shall be made a part of the committee report, and shall be entered in the daily journal.

Sec. 6. Committees Shall Report Promptly. Standing committees shall consider and report without unnecessary delay all bills and resolutions referred to them.

Sec. 7. Legislature May Request Committee Report. The Legislature may, by vote of a majority of the elected members, request a report from any standing committee at any time after said committee shall have been in possession of a bill or resolution for ten legislative days.

Sec. 8. Committee Reports Must Recommend Bills for General File or Indefinite Postponement. Majority Vote of Members at Regular Meeting Required. In reporting bills to the Legislature, whether with or without amendments, a standing committee shall, by vote of a majority of its members, recommend (a) that the bill be placed on general file for the consideration of the Legislature, or (b) that the bill be indefinitely postponed. Such action shall be taken at regularly scheduled committee meetings only.

Sec. 9. Effect of Committee Report to Postpone Indefinitely. If the standing committee report on a bill be to postpone indefinitely, the bill shall stand indefinitely postponed, subject to reconsideration in the manner provided by the rules of the Legislature.

For reconsideration, see Rule 11, Secs. 14, 15, 16.

Sec. 10. Committee Reports, Statements and Amendments: Minority Report. Each standing committee shall, when reporting a bill, submit therewith a brief statement of the main purpose of the bill, and, if recommended to general file, a copy of all amendments recommended by the committee. Such statement shall give the committee's reason for so reporting, and the minority view, if such there be, shall also be given. Copies of such statements and amendments shall be furnished to the members.

RULE 8

Order of Business

Sec. 1. Hour of Meeting and Adjournment. The Legislature shall meet each legislative day at 9:00 a. m., and adjourn not later than 1:00 p. m., unless otherwise ordered by a majority vote of its members present and voting thereon.

Sec. 2. Order of Business. The order of business of the Legislature shall be as follows:

a. Prayer by the Chaplain.
b. Roll call.
c. Call for correction of the journal.
d. Petitions and memorials.
e. Notice of committee hearings.
f. Reports of standing committees.
g. Reports of select committees.
h. Resolutions.
i. Introduction of bills.
j. Bills on first reading by title.
k. Bills on second reading by title; reference.
l. Bills on third reading.
m. Special order of the day.
n. Consideration of bills on select file.
o. Consideration of bills on general file.
p. Unfinished business, including messages on the President's desk.
q. Miscellaneous business.

Sec. 3. Messages From the Governor, Preference. Messages from the Governor may be received at any stage of the proceedings, except when a question is being put, the yeas and nays are being called for, the ballots are being counted, or a question of order or a motion to adjourn is pending.

Sec. 4. Special Order of the Day, Effect of Adjournment. When a bill shall have been made a special order for a definite time and an adjournment shall intervene for a time beyond the time fixed for such special order, then in that event the bill so made a special order shall be placed in its order on general file.

Sec. 5. Unfinished Business, Effect of Adjournment. The unfinished business in which the Legislature was engaged at the adjournment of the last preceding sitting shall have preference in the special order of the day.

Sec. 6. Legislative Days. Each day except Saturday and Sunday shall be considered a legislative day, unless otherwise specifically ordered by the Legislature, by a majority of the members present and voting thereon.

RULE 9

Daily Journal

Sec. 1. Journal Prepared by Clerk, Furnished to Members; Corrections. A daily journal of the proceedings of the Legislature, as prepared by the Clerk, shall be printed and placed each day upon the desks of the members; and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any, are made, the journal shall stand approved without motion.

Sec. 2. Journal Entries. The Clerk shall enter in the daily journal messages of the Governor in full; titles of bills; every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, and memorial or other paper presented for the consideration of the Legislature.

Constitutional amendments printed in journal. Const. Art. XVI, Sec. 1.

Sec. 3. Title, Parts of Bills Entered in Journal. In addition to the title, only such parts of a bill as shall be affected by proposed amendments shall be entered in the daily journal.

Sec. 4. Amendments Offered, But Not Adopted, Not Entered: Exception. In the consideration of bills on general or select file, amendments offered but not adopted shall not be entered in the journal except where a record vote is demanded.

Sec. 5. Hour of Adjournment Entered. The hour at which the Legislature adjourns shall be entered in the daily journal.

Sec. 6. Additional Copies for Members. Additional copies of the daily journal, to be mailed at his direction, shall be supplied for the use of each member, in such manner as shall be provided by the Legislature.

Sec. 7. Bound Journal, How Printed. The bound journal of the session shall be printed from the corrected daily journal.

Journal, cross references:
Yeas and nays entered in journal at request of any member. Const. Art. III, Sec. 11.
Yeas and nays on final passage of bill shall be published in the journal. Const. Art. III, Sec. 13.

Explanation of absence and statement of how absent member would have voted. Rule 5, Sec. 3.

Explanation of vote. Rule 5, Sec. 11.

Committee reports. Rule 7, Sec. 5.

Only totals of machine vote entered. Rule 10, Sec. 3.

Notice of committee hearings must be published.. Rule 7, Sec. 3.

RULE 10

Manner and Record of Voting

Sec. 1. Votes Taken Viva Voce: Form of Question. All votes shall be taken viva voce. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'no' ".

Sec. 2. Yea and Nay Vote Required on Final Passage of Bill: Applies to Resolution, When. Upon the final passage of a bill, or of a resolution if the same require the same consideration as a bill, the vote shall be by yeas and nays, and this rule shall not be suspended.

Sec. 3. Machine Vote, When. If a machine vote is called for, or if the presiding officer is in doubt, he shall cause the result to be obtained by means of the electric roll call system; and only the totals shall be printed in journal.

Sec. 4. Record Vote, Member May Demand. Any member may call for a record vote upon any question (Const. Art. III. Sec. 11), and upon declaration of the yeas and nays by the members, the record thereof shall be made and taken upon the electric roll call system, unless the Legislature by a majority vote decides that a roll call shall be taken.

Sec. 5. For Yeas and Nays and Call of House, Vote on Electric System: Limitation on Time to Vote. In taking the yeas and nays and upon call of the Legislature, the members shall register their vote upon the electric roll call system. When the yeas and nays are taken upon any question in the manner heretofore indicated, no member shall be permitted to vote after the decision is announced from the chair.

Sec. 6. When More Than Majority Vote Necessary, Electric System Used. In all instances where the vote, necessary to adopt a motion or other proposition, is other than that of a majority voting upon the question, the presiding officer shall, unless the Legislature by unanimous vote decides otherwise, cause the result thereof to be obtained by means of the electric roll call system. In such case, no member shall be permitted to vote after the yeas have been announced by the Clerk.

Sec. 7. Member May Demand Verification of Vote. Any member may demand verification of the vote on roll call. Provided, that on the final passage of bills verification shall always be made.

Sec. 8. Call of the Legislature. A call of the Legislature must be seconded by at least five members. Thereupon, and upon call of the presiding officer, each member present shall indicate his presence upon the electric roll call system. The Clerk shall note the names of the absentees. Proceedings under the call may be suspended at any time by a majority vote of the members present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members present and voting thereon. When the Legislature has been under call for fifteen minutes, and if all absentees were to vote on one side of the question, and if their combined vote would be insufficient to change the result of the vote, the President shall declare the call raised.

Voting, cross references:
Lieutenant governor votes when Legislature equally divided. Rule 2, Sec. 10.
Explanation of vote. Rule 5, Sec. 11.

RULE 11

Motions and Their Precedence

Sec. 1. Statement of Motions. When a motion has been made and seconded, the presiding officer shall state it, or being in writing, shall cause it to be read aloud by the Clerk before being debated.

Sec. 2. Motions Must be Written, When. Every motion shall be reduced to writing if the presiding officer or any member desires it.

Sec. 3. Withdrawal or Modification of Motions. After a motion has been stated by the presiding officer, or read by the Clerk, it shall be deemed in possession of the Legislature, but may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

Sec. 4. Motions Received When Questions Under Debate: Precedence. When a question is under debate no motion shall be received but:

a. To adjourn.
b. To lay on the table.
c. For the previous question.
d. To postpone to a certain time.
e. To commit.
f. To amend.
g. To postpone indefinitely.

Such motions shall have precedence in the order in which they are arranged; except that motions to postpone indefinitely and amend do not yield to each other. No motion to postpone to a certain time, to commit or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 5. Motion to Strike Enacting Clause; Effect, Precedence. A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, but shall not have precedence over a motion to postpone indefinitely, and, if carried, is equivalent to rejection of the bill.

Sec. 6. Motion to Adjourn, Adjourn to Time Certain, to Recess: Precedence. A motion to adjourn, or a motion to fix the day to which the Legislature shall adjourn shall always be in order, except:

a. While a member is speaking.
b. When a motion to adjourn has just been defeated.
c. When a motion to fix the day to which the Legislature shall adjourn has just been defeated.
d. After the third reading of a bill and during roll call thereon.

Provided, however, that a motion to adjourn to a time certain shall have precedence over a motion to adjourn; and provided further, that a motion to recess shall take precedence over either of such motions.

Sec. 7. Motion to Adjourn Pending Motion to Suspend Rules. Pending a motion to suspend the rules, the presiding officer may entertain one motion to adjourn, but after the result thereon is announced he shall entertain no other motion until the vote has been taken on suspension.

Sec. 8. The Previous Question, Form. The previous question shall be in this form: "Shall the debate now close?"

Sec. 9. The Previous Question: Seconds Required: Vote Necessary: Effect. The previous question shall be in order when demanded by five or more members and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in Section 11 of this rule, preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lay on the table.

Sec. 10. Previous Question Undebatable. On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Sec. 11. Previous Question Ordered: Proponent to Close Debate. When the previous question shall have been ordered on a proposition under debate, the mover, proponent or introducer of such proposition shall be given the right to close the debate thereon.

Sec. 12. Previous Question Ordered: Call of Legislature Not in Order, When. A call of the Legislature shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the presiding officer that a quorum is not present.

Sec. 13. Questions of Privilege, What Are. Questions of privilege shall be, first, those affecting the rights of the Legislature collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence over all other questions, except motions to adjourn.

Question of privilege is not in order for introduction of guests while member speaking. Rule 5, Sec. 6.

Sec. 14. Reconsideration, Who May Move. When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move a reconsideration thereof; and if the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 11, Sec. 3.

Sec. 15. Reconsideration, Precedence. Every motion to reconsider shall take precedence over all other questions, except a motion to adjourn.

Sec. 16. Reconsideration, Vote Necessary. For its adoption a motion to reconsider shall require the vote of a majority of the elected members, except where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a third reading, then a three-fifths vote shall be required for adoption.

Sec. 17. Amendments in Order. When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

Sec. 18. Amendments: Other Bills or Resolutions Cannot be Annexed, Incorporated With or Substituted by Amendment. No bill or resolution shall at any time be amended by annexing thereto, incorporating therewith, or substituting therefor, any other bill or resolution before the Legislature.

Sec. 19. Amendments to Title of Bills. Amendments to the title shall not be in order during the consideration of a bill or resolution on general or select file until the bill or resolution shall have been considered in full.

Sec. 20. Amendment Laid on Table Does Not Carry Principal Measure. When an amendment proposed to any pending measure is laid on the table, it shall not carry with it or prejudice such measure.

Sec. 21. Amendments, Preference in Consideration. When the Legislature is considering bills on either general or select file, after giving consideration to standing committee amendments, it shall give preference to such amendments as may have been on file with the Clerk, with copies on the members' desks for one legislative day in advance, and then to such other amendments as have been deposited with the Clerk, in the order in which they were received by him.

Sec. 22. Amendments, Must be Germane. No motion, proposition or subject, different from that under consideration, shall be admitted under color of amendment.

Sec. 23. Division of a Question, When. Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall not preclude an amendment or a motion to strike out or insert.

RULE 12

Bills—General Provisions

Sec. 1. Introduction, by Not More Than Three Members. Upon call for the introduction of bills, any member or standing committee may introduce one or more bills. No bill shall be introduced bearing the names of more than three members, but the names of additional introducers may be added by consent of the Legislature.

Sec. 2. Introducer Must be Willing to Support. Members shall introduce only such bills as they are willing to endorse and support personally.

Sec. 3. Time for Introduction, Limitation. No bill shall be introduced after the twentieth legislative day, except upon recommendation of the Governor.

Sec. 4. Bills, How Designated. A bill shall be designated as Legislative Bill ——.

Sec. 5. Bill Must Contain Only One Subject: Amendment of Laws. No bill shall contain more than one subject, and the same shall be clearly expressed in the title. And no law shall be amended unless the new act contain the section or sections as amended, and the section or sections so amended shall be repealed. Const. Art. III, Sec. 14.

Sec. 6. Amendatory Bill, How Printed. An amendatory bill shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes.

Sec. 7. Bills Must be Engrossed Before Third Reading. All bills, before being advanced to third reading and final passage, shall be engrossed by typewriter, and if amended, shall be reprinted in the manner prescribed in the preceding section, and copies thereof shall be supplied for the use of members.

Sec. 8. Bills Must Receive Three Readings Before Passage. Every bill shall receive three readings previous to its passage, by title when introduced, also by title upon a legislative day subsequent to its introduction, and the bill and all amendments thereto shall be read at large before the vote is taken upon its final passage. Const. Art. III, Sec. 14.

Sec. 9. Printed Copies Required for Members. After the second reading of a bill, a printed copy thereof shall be provided for the use of each member of the Legislature. Const. Art. III, Sec. 14.

Sec. 10. Vote Required to Expend Money or Change Compensation. It shall require the vote of a majority of the members elected to expend money by the Legislature or to change the compensation of any officer or employee.

RULE 13

Bills—Stages in Consideration

Sec. 1. Introduction and First Reading.

Introduction. Rule 12, Secs. 1, 2.
Time for introduction. Rule 12, Sec. 3.
First reading. Rule 12, Sec. 8.

Sec. 2. Second Reading and Reference to Standing or Select Committee.

Reference committee. Rule 15, Sec. 1.
Second reading. Rule 12, Sec. 8.

Sec. 3. Consideration by Standing or Select Committee, Together With Desired Committee Hearings.

Committee hearings. Rule 7, Secs. 2-5.

Sec. 4. Report by Standing or Select Committee and Reference to General File.

Committee reports. Rule 7, Secs. 6-10.
Effect of committee report to postpone indefinitely. Rule 7, Sec. 9.

Sec. 5. General File: Reading, Consideration and General Debate by the Legislature.

a. Each section shall be open to amendment as read, and the amendments, if any, recommended by the standing committee, shall first be considered for adoption or rejection, after which other amendments may be offered.

Amendments. Rule 11, Secs. 17-22.

b. Bills shall be listed and considered on geneal file in the order in which they shall be reported from the standing committees, and no change shall be made in such order, except by a majority vote of the elected members.

c. The general appropriation bills, necessary for the support of the state government for the biennium, shall take precedence over all other bills on general file.

d. If during consideration of bills on either general file or select file, the introducer of a bill requests the Legislature to pass over said bill, it shall be placed at the bottom of the file, except by unanimous consent: Provided, if some member other than the introducer makes the request, the bill shall retain its place on the file.

Sec. 6. Reference to Enrollment and Review. Advancement to the Committee on Enrollment and Review for recommendations relative to arrangement, phraseology and correlation, unless indefinitely postponed or recommitted to a standing committee.

Sec. 7. Report by Committee on Enrollment and Review and Reference to Select File.

Enrollment and review report. Rule 6, Sec. 10.

Sec. 8. Select File. Consideration a second time by the Legislature, in review on select file, wherein any of the following motions shall be in order:

a. A motion to approve or reject any or all of the changes recommended by the Committee on Enrollment and Review.

b. A motion to adopt a unanimous consent amendment, to which no objection shall be offered.

c. A motion to recommit to the proper standing committee.

d. A motion to recommit to the general file for one or more specific amendments. If such motion is adopted, the bill shall be transferred forthwith to the head of the general file, where consideration of the specific amendment shall be the first order of business on that file. After disposition of the specific amendment, the bill may be readvanced to the committee on Enrollment and Review for review, amended further, indefinitely postponed, or recommitted to the proper standing committee. If the bill is readvanced, it shall be given prior consideration by the committee on Enrollment and Review and returned to the select file as soon as possible, and placed at the head of that file: Provided, if the bill is not amended, indefinitely postponed, or recommitted, it may be advanced to the Committee on Enrollment and Review for engrossment.

Effect of passing over bill. Rule 13, Sec. 5-d.

e. A motion to postpone indefinitely.

No bill shall be considered initially on select file until three legislative days after its advancement from general file to the Committee on Enrollment and Review.

Sec. 9. Advancement to the Committee on Enrollment and Review for Engrossment, Unless Recommitted to a Standing Committee or Indefinitely Postponed.

Sec. 10. Report by Committee on Enrollment and Review and Reference to Third Reading File, or to Select File for Specific Amendment.

Bills must be engrossed before advancement to third reading. Rule 12, Sec. 7.

Sec. 11. Conditions Precedent to Placing Bill on Third Reading. No bill shall be placed upon third reading and final passage until:

a. Five legislative days after the initial reference to the Committee on Enrollment and Review.

b. Two legislative days after its reference to third reading file.

c. Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day. Const. Art. III, Sec. 14.

Sec. 12. Third Reading. Consideration on third reading and final passage when the bill shall be read at large with all amendments thereto before the vote is taken (Const. Art. III, Sec. 14): Provided, that at any time before the roll call shall have begun on third reading of the bill, it shall be in order to move:

a. To recommit the bill to the Committee on Enrollment and Review to correct an error, and for reengrossment.

b. To recommit the bill to the proper standing committee, with or without instructions.

c. To recommit the bill to select file for specific amendment, which amendment may be adopted by a vote of a majority of the elected members.

Members must be in their seats during third reading. Rule 5, Sec. 7.

Sec. 13. Question After Third Reading: Emergency Clause. The question after the third reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'" If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Sec. 14. Emergency Clause: Failure to Receive Constitutional Majority; Effect; Question. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on third reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on its third reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?" Const. Art. III, Sec. 27.

Sec. 15. Governor's Veto, Consideration. Upon the day of receipt of a message from the Governor announcing his veto of a bill, or on either of the next five legislative days, any member may move that the bill so vetoed be taken up for passage. Whereupon, the question shall be, "Shall the bill pass, notwithstanding the objection of the Governor?"

Three-fifths vote of the elected members required to pass bill over Governor's veto. Const. Art. IV, Sec. 15.

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills. Const. Art. IV, Sec. 15.

RULE 14

Petitions and Memorials

Sec. 1. Petitions, Memorials and Other Papers Referred to Committees. Every petition, memorial, or other paper shall be referred to the proper committee without putting a question for that purpose, unless the reference be objected to by a member at the time such petition, memorial or other paper is presented, in which case the Legislature shall decide the question of reference.

Sec. 2. Introducer May Make Statement. Before any petition or memorial addressed to the Legislature is received and read at the table, whether the same be presented by the presiding officer or a member, a brief statement of the contents of the petition or memorial may be verbally made by the introducer.

RULE 15

Questions and Reference

Sec. 1. Reference Committee for Bills and Resolutions, Who Constitutes. The Lieutenant Governor, the Speaker, and the Chairman of the Committee on Committees shall constitute the Reference Committee for the assignment of bills and resolutions to the various standing committees.

Sec. 2. Nominations by Governor Referred to Committee on Committees. All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature, shall be referred to the Committee on Committees, and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

Sec. 3. Members May Object to Reference. Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature on any legislative day, immediately following corrections of the daily journal, by unanimous consent, or by the vote of a majority of the elected members.

Sec. 4. Motions for Reference; Preference. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be put first.

Proposed amendments to rules referred to Rules Committee. Rule 18.

RULE 16

Resolutions

Sec. 1. Resolutions; How Designated. A resolution shall be designated as Legislative Resolution———.

Sec. 2. Resolutions Proposing Constitutional Amendments, Granting Money, or Requiring Governor's Approval: Consideration and Adoption. Resolutions which propose amendments to the state constitution, propose the ratification of amendments to the federal constitution, provide for the grant of money out of the contingent or any other fund, or require the approval of the Governor, shall be considered and adopted in the same manner as bills. Const. Art. III, Secs. 13, 14; Art. XVI, Sec. 1.

Sec. 3. Resolutions Laid Over One Legislative Day. All other resolutions, except by the unanimous consent of the members present and voting, shall lie over for consideration until the next legislative day.

Sec. 4. Resolutions; Reference to Committee; Vote Necessary for Adoption. When called for consideration on the next legislative day after its introduction, any such resolution shall be referred to the proper standing committee, if as many as five members object to its consideration at that time. The vote of a majority of the elected members shall be required for the adoption of any such resolution.

RULE 17

Privileges of the Floor

No person shall be admitted to the floor of the Legislature except the following:

Members of the Legislature, officers and employees.
State officers, their deputies and clerks.
Judges of the Supreme Court.
Judges of the District Courts.
Senators and Representatives in Congress.
Reporters of regularly accredited newspapers and broadcasting stations.
And such other persons as the Legislature may deem proper to admit.

No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

RULE 18

Suspension and Amendment of Rules

These rules may be suspended by a two-thirds majority vote of the elected members, and may be amended by a three-fifths majority vote of the members elected: Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

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Legislative Chamber, Lincoln, Nebraska
Tuesday, January 5, 1943.

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the fifty-sixth session of the Legislature of Nebraska assembled in Legislative Hall of the Capitol Building at the hour of 12 o'clock, noon, Tuesday, January 5, 1943, and was called to order by the Lieutenant Governor, William Edward Johnson.

Prayer was offered by the Reverend Arthur L. Miller of Lincoln, Nebraska.

The roll was called and the following members were present:

Anderson, D. S.
Anderson, James H.
Asimus, Tony
Bowman, Harry E.
Brodahl, A. J.
Burnham, Harry F.
Carmody, Arthur
Conklin, J. E.
Craven, George I.
Crosby, Robert B.
Crossland, William A.
Cullingham, Sidney J.
Dooley, Tom
Doyle, John F.
Foster, Harry A.
Gantz, Harry E.
Garber, Daniel
Greenamyre, H. G.
Gutoski, Peter P.
Hanna, Don E.
Heiliger, H. P.
Hubka, Ladd J.
Jeffords, Carl P.
Jeppesen, Louis M.
Klaver, Sam
Lee, Earl J.
Matzke, Stanley A.
Mekota, John E.
Mischke, Martin J.
Mueller, Fred A.

Neubauer, E. M.
Norman, William J.
Ogden, Cliff N.
Osborne, Tom C.
Peterson, C. Petrus
Raecke, Walter R.
Rakow, Elmer C.
Reavis, Joseph C.
Sorrell, Frank
Thomas, Ray
Thompson, Dudley E.
Tvrdik, Charles F.
Weborg, George C.

MOTION—Rules

Mr. President: I move that the rules of the last session, as revised and distributed to the members, be adopted until further order by the Legislature.

(Signed) Mekota

The motion prevailed.

MOTION—Temporary Clerk

Mr. President: I move that Louis R. Eby be appointed as temporary assistant to the clerk.

(Signed) Mischke

The motion prevailed.

MOTION—Temporary Sergeant-at-arms

Mr. President: I move that Mr. Keogh be appointed to serve as temporary sergeant-at-arms and that he be authorized to select the temporary doorkeepers.

(Signed) Jeppesen

The motion prevailed.

MOTION—Committee on Credentials

Mr. President: I move that a committee of five be appointed on credentials.

(Signed) Gantz

The motion prevailed, and the President appointed the following members to serve on said committee:

Gantz, Chairman
Matzke Rakow Bowman Carmody

The Legislature was at ease for ten minutes.

REPORT OF COMMITTEE ON CREDENTIALS

Mr. President: Your Committee on Credentials begs leave to report that we find the following to be the duly elected members of the Legislature of the State of Nebraska for the fifty-sixth session:

Dist.

1. Joseph C. Reavis
2. Frank Sorrell
3. Tom Dooley
4. William J. Norman
5. Harry A. Foster
6. Sam Klaver
7. Charles F. Tvrdik
8. Peter P. Gutoski
9. Sidney J. Cullingham
10. Cliff N. Ogden
11. Earl J. Lee
12. George C. Weborg
13. Louis M. Jeppesen
14. Martin J. Mischke
15. H. G. Greenamyre
16. William A. Crossland
17. A. J. Brodahl
18. H. P. Heiliger
19. George I. Craven
20. C. Petrus Peterson
21. Ladd J. Hubka
22. J E Conklin

Dist.

23. John E. Mekota
24. Stanley A. Matzke
25. Ray Thomas
26. Dudley E. Thompson
27. Elmer C. Rakow
28. Tony Asimus
29. John F. Doyle
30. Walter R. Raecke
31. Harry E. Bowman
32. Daniel Garber
33. E. M. Neubauer
34. Fred A. Mueller
35. Harry F. Burnham
36. D. S. Anderson
37. Arthur Carmody
38. Robert B. Crosby
39. Carl P. Jeffords
40. Don E. Hanna
41. Harry E. Gantz
42. James H. Anderson
43. Tom C. Osborne

(Signed) Harry E. Gantz
Arthur Carmody
Harry E. Bowman
Stanley A. Matzke
Elmer C. Rakow

MOTION—To Adopt Report

Mr. President: I move that we adopt the report of the Committee on Credentials.

(Signed) Gantz

The motion prevailed.

MOTION—Committee to Wait Upon Chief Justice

Mr. President: I move that a committee of five be appointed to wait upon the Chief Justice and escort him to the legislative chamber for the purpose of administering the oath of office to the members-elect.

(Signed) Reavis

The motion prevailed, and the President appointed the following members to serve on said committee:

Reavis, Chairman
Lee Crossland Jeffords Osborne

The committee withdrew and escorted the Chief Justice of the Supreme Court of Nebraska, Robert G. Simmons, to the rostrum where he administered the following:

MEMBERS' OATH OF OFFICE

STATE OF NEBRASKA }
Lancaster County } ss.

I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska and will faithfully discharge the duties of member of the legislature, according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence, for any vote I may give or withhold on any bill, resolution or appropriation, so help me God.

Arthur Carmody
Tom C. Osborne
James H. Anderson
Sidney J. Cullingham
H. G. Greenamyre
Earl J. Lee
John F. Doyle
Tom Dooley
Harry F. Burnham
Louis M. Jeppesen
William A. Crossland
Harry E. Bowman
Walter R. Raecke
Dudley E. Thompson
Elmer C. Rakow
Don E. Hanna
Martin J. Mischke
Stanley A. Matzke
Peter P. Gutoski
Daniel Garber
Ray Thomas
Sam Klaver
Harry E. Gantz
George I. Craven
Robert B. Crosby
Carl P. Jeffords
George C. Weborg
Charles F. Tvrdik
William J. Norman
D. S. Anderson
Cliff N. Ogden
C. Petrus Peterson
Joseph C. Reavis
Ladd J. Hubka
A. J. Brodahl
H. P. Heiliger
F. A. Mueller
E. M. Neubauer
Tony Asimus
J E Conklin
Harry A. Foster
Frank Sorrell
John E. Mekota

Subscribed in my presence and sworn to before me this 5th day of January, 1943.

(Signed) Robt. G. Simmons

Chief Justice of the Supreme Court of Nebraska.

Seal

The committee escorted the Chief Justice to his chambers.

MOTION—Election of Officers

Mr. President: I move that we proceed to the election of the officers of the Legislature, that we vote by ballot and that the vote of a majority of the elected members be required for the election of each such officer.

(Signed) Brodahl

The motion prevailed.

MOTION—Informal Ballot

Mr. President: I move that we nominate candidates for office by means of informal ballot.

(Signed) Sorrell

The motion prevailed.

MOTION—Election of Speaker

Mr. President: I move that we proceed to vote on a candidate for speaker.

(Signed) Hubka

The motion prevailed.

The President appointed Messrs. Heiliger and Mischke to serve as tellers.

Nominating ballot for Speaker:

Harry E. Gantz	10
Frank Sorrell	5
Robert B. Crosby	18
C. Petrus Peterson	2
E. M. Neubauer	2
Stanley A. Matzke	4
Walter R. Raecke	2

Mr. Mueller moved that an official ballot be cast for Speaker and that the three having received the highest votes on the informal ballot be the candidates. The motion prevailed.

Formal ballot for Speaker:

Harry E. Gantz	12
Frank Sorrell	4
Robert B. Crosby	27

MOTION—To Make Unanimous

Mr. President: I move the election of Robert B. Crosby as Speaker be made unanimous.

(Signed) Gantz

The motion prevailed.

Having received a majority vote of the members elected, the President declared Robert B. Crosby elected Speaker for the Fifty-sixth session of the Legislature of Nebraska.

Mr. Crosby made a few remarks of appreciation for the honor accorded him.

MOTION—Clerk of Legislature

Mr. President: I move that we proceed to vote on Clerk of the Legislature.

(Signed) Doyle

The motion prevailed.

Nominating ballot for Clerk:

Hugo F. Srb	41
Bowers	1
Lundy	1

Having received a majority vote of the elected members, Mr. Mueller moved that the informal ballot be made formal and that Mr. Srb be declared elected. The motion prevailed.

The President declared Hugo F. Srb elected Clerk of the Legislature.

MOTION—Assistant Clerk of Legislature

Mr. President: I move that we proceed to vote on the Assistant Clerk.

(Signed) Raecke

The motion prevailed.

Nominating ballot for Assistant Clerk:

Roy J. Becker	30
George H. Quackenbush	2
F. E. Bowers	10
Harry L. Reed	1

Having received a majority vote of the elected members, Mr. Hanna moved that the informal ballot be made formal and that Mr. Becker be declared elected. The motion prevailed.

The President declared Roy J. Becker elected Assistant Clerk of the Legislature.

MOTION—Sergeant-at-arms

Mr. President: I move that we proceed to vote on Sergeant-at-arms.

(Signed) Mueller

The motion prevailed.

Nominating ballot for Sergeant-at-arms:

J. W. Lundy	28
Tracy T. Frost	12
Buck Taylor	1
Murphy	1

Having received a majority vote of the elected members, Mr. Mueller moved that the informal ballot be made formal and that Mr. Lundy be declared elected. The motion prevailed.

The President declared J. W. Lundy elected Sergeant-at-arms.

MOTION—Assistant Sergeant-at-arms

Mr. President: I move that the rules be suspended and that we dispense with the election of assistant sergeant-at-arms until tomorrow.

(Signed) Mueller

The motion prevailed, with 39 ayes, 2 nays, 2 not voting.

MOTION—Postmaster

Mr. President: I move that we proceed to elect a postmaster.

(Signed) Hanna

The motion prevailed.

Nominating ballot for Postmaster:

Martin L. Pedersen	13
F. L. Gallagher	7
Henry Vauck	5
Douglas	1
Mrs. May Douglass	3
Col. R. G. Douglas	2
A. D. Spencer	1
Robert L. Sweney	2
Mrs. Leila B. Hallock	4
Millicent J. Aten	2
Bess Burlingame	1
C. M. McGrath	2
Murphy	1

Mr. Klaver moved that another ballot be taken and that all but the three highest be eliminated. The motion prevailed.

Formal ballot for Postmaster:

Pedersen	28
Gallagher	8
Vauck	7

Having received a majority vote of the members elected the President declared Martin L. Pedersen elected Postmaster.

MOTION—Chaplain

Mr. President: I move that we proceed to elect the Chaplain.

(Signed) Dooley

The motion prevailed.

Nominating ballot for Chaplain:

Walter Aitken	11
Leonard L. Chambers	21
John D. Hammel	10
Mr. Wells	1

Mr. Mueller moved that the three high candidates be voted upon.

The motion prevailed.

Formal ballot for Chaplain:

Aitken	11
Chambers	24
Hammel	8

Having received a majority vote of the members elected the President declared the Reverend Leonard L. Chambers elected Chaplain.

OFFICERS' OATH OF OFFICE

The newly elected officers of the Legislature were sworn, and subscribed to the following oath:

State of Nebraska, ss.

We, and each of us, do solemnly swear that we will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully discharge the duties of our respective offices to the best of our ability, so help us God.

Hugo F. Srb, Clerk of the Legislature
Roy J. Becker, Assistant Clerk of the Legislature
J. W. Lundy, Sergeant-at-arms
Martin L. Pedersen, Postmaster
Leonard L. Chambers, Chaplain

Subscribed in my presence and sworn to before me this 5th day of January, 1943.

(Signed) Robt. G. Simmons
Chief Justice of the Supreme Court
of Nebraska

Seal

COMMITTEE TO NOTIFY GOVERNOR

Mr. President: I move that a committee of five be appointed to wait upon the Governor and notify him that the Legislature is organized and ready to transact business.

(Signed) Neubauer

The motion prevailed and the President appointed the following members to serve on said committee:

Neubauer, Chairman

Garber Norman D. S. Anderson Craven

COMMITTEE ON ELECTION RETURNS

Mr. President: I move that a committee of five be appointed to invite the Secretary of State to appear and bring with him the returns of the regular election of 1942.

(Signed) Tvrdik

The motion prevailed and the President appointed the following members to serve on said committee:

Tvrdik, Chairman

Conklin Thomas Weborg Asimus

The committee retired and subsequently returned with the Secretary of State, Mr. Frank Marsh, who reported as follows:

CERTIFICATE

I, Frank Marsh, Secretary of State of the State of Nebraska, do hereby certify that the attached seven sheets constitute a true and correct list of candidates for public office required to file for office with the Secretary of State who received the highest number of votes for each particular office, as shown thereon, together with a list of measures voted on, at the general election in the State of Nebraska held on November 3, 1942. I further certify that at said election the proposed amendment to the Constitution, amending Section 4, Article IX of the State Constitution, was not adopted.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska. Done at Lincoln this fifth day of January in the year of our Lord, one thousand nine hundred and forty-three.

(Signed) Frank Marsh,
Secretary of State

SEAL.

OFFICERS ELECTED AT 1942 GENERAL ELECTION

United States Senator, Kenneth S. Wherry, Pawnee City
Governor—Dwight Griswold, Gordon
Lieutenant Governor—Roy William Johnson, Sumner
Secretary of State—Frank Marsh, Lincoln
Auditor of Public Accounts—Ray C. Johnson, Lincoln
State Treasurer—Carl G. Swanson, Aurora
Attorney General—Walter R. Johnson, Omaha
Railway Commission—John Knickrehm, Grand Island

Congressmen

First District—Carl T. Curtis, Minden
Second District—Howard Buffett, Omaha
Third District—Karl Stefan, Norfolk
Fourth District—A. L. Miller, Kimball

Supreme Court Justices

First District—E. B. Chappell, Lincoln
Third District—Adolph E. Wenke, Stanton
Fifth District—Bayard H. Paine, Grand Island

State Superintendent

Wayne O. Reed, Nebraska City

State University Board of Regents

First District—Robert W. Devoe, Lincoln
Second District—William E. Reed, Omaha

Members of the State Legislature

First District—Joseph C. Reavis, Falls City
Second District—Frank Sorrell, Syracuse

Third District—Tom Dooley, Papillion
Fourth District—William J. Norman, Omaha
Fifth District—Harry A. Foster, Omaha
Sixth District—Sam Klaver, Omaha
Seventh District—Charles F. Tvrdik, Omaha
Eighth District—Peter P. Gutoski, Omaha
Ninth District—Sidney J. Cullingham, Omaha
Tenth District—Cliff N. Ogden, Omaha
Eleventh District—Earl J. Lee, Fremont
Twelfth District—George C. Weborg, Pender
Thirteenth District—Louis M. Jeppesen, Hubbard
Fourteenth District—Martin J. Mischke, Crofton
Fifteenth District—H. G. Greenamyre, Norfolk
Sixteenth District—William A. Crossland, Wayne
Seventeenth District—A. J. Brodahl, Wahoo
Eighteenth District—H. P. Heiliger, Lincoln
Nineteenth District—George I. Craven, Lincoln
Twentieth District—C. Petrus Peterson, Lincoln
Twenty-first District—Ladd J. Hubka, Beatrice
Twenty-second District—J E Conklin, Hubbell
Twenty-third District—John E. Mekota, Crete
Twenty-fourth District—Stanley A. Matzke, Seward
Twenty-fifth District—Ray Thomas, Clay Center
Twenty-Sixth District—Dudley E. Thompson, Genoa
Twenty-seventh District—Elmer C. Rakow, Neligh
Twenty-eight District—Tony Asimus, O'Neill
Twenty-ninth District—John F. Doyle, Greeley
Thirtieth District—Walter R. Raecke, Central City
Thirty-first District—Harry E. Bowman, Hastings
Thirty-second District—Daniel Garber, Red Cloud
Thirty-third District—E. M. Neubauer, Orleans
Thirty-fourth District—Fred A. Mueller, Kearney
Thirty-fifth District—Harry F. Burnham, Ansley
Thirty-sixth District—D. S. Anderson, Lexington
Thirty-seventh District—Arthur Carmody, Trenton
Thirty-eighth District—Robert B. Crosby, North Platte
Thirty-ninth District—Carl P. Jeffords, Mullen
Fortieth District—Don E. Hanna, Brownlee
Forty-first District—Harry E. Gantz, Alliance
Forty-second District—James H. Anderson, Scottsbluff
Forty-third District—Tom C. Osborne, Bayard

DIRECTORS OF POWER DISTRICTS

Beaver Sappa Public Power District (Full Term)

Charles M. Brown Allan Harlan Bert Watson

Beaver Sappa Public Power District (4 Year Term)

Charles Brown
Harry Luther

Beaver Sappa Public Power District (2 Year Term)

E. M. Brown
L. B. Carraher

Benkelman-Haigler-Arikaree Public Power District (Full Term)

V. Westermark
Jacob Bauer
H. McKay
Lee Clegg

Benkelman-Haigler-Arikaree Public Power District (2 Year Term)

W. C. Dahnke

Boone & Nance Rural Public Power District (Full Term)

Guy S. Bowman
James I. Clark

Boone & Nance Rural Public Power District (2 Year Term)

P. P. Cedar
Benjamin Pearson

Burt County Rural Public Power District (Full Term)

John G. Moseman
Lloyd Palmer
Jasper A. Johnson

Cedar-Knox Power District (Full Term)

Werner Burbach, Jr.
Roy T. Johnson
Ben F. Banks
Julius Tigges

Cedar Valley Public Power District (Full Term)

G. M. Cox
Gordon Thompson
Geo. Orsheck
Carl Marlander

Cedar Valley Public Power District (2 Year Term)

George Vandenberg

Central Nebraska Public Power District (Full Term)

Moritz Aabel

Central Nebraska Public Power District (4 Year Term)

Milo M. Fink

Central Nebraska Public Power District (2 Year Term)

Howard G. Pratt

Central Nebraska-Kearney County-Public Power District (Full Term)

B. H. Bracken

Central Nebraska-Kearney County-Public Power District (4 Year Term)

H. S. Andrews

Central Nebraska-Gosper County-Public Power District (Full Term)

Max W. Junkin

Central Nebraska-Gosper County-Public Power District (2 Year Term)

G. E. Shallenberger

Central Nebraska-Phelps County-Public Power District (Full Term)

Frank Cole

Chimney Rock Public Power District (Full Term)

Leo Daniels
Jacobus Diedricksen
James O'Hollaren
S. A. Thompson
B. F. Moore

Consumers Public Power District (Full Term)

Clarence C. Sheldon
W. A. Boettcher

Cuming County Public Power District Subdivision No. 4, Full Term
Hugo Heller

Cuming County Public Power District Subdivision No. 6, Full Term
Herman J. Meiergerd

Dismal River Public Power District, Full Term
Paul F. Van Neste
D. Rolli

Dismal River Public Power District, 4-year Term
Frank Moore
Lawrence McLean

Dismal River Public Power District, 2-year Term
M. M. Leonard
Hugh Scott

Eastern Nebr. Public Power District, Full Term

R. C. Johnson
C. H. Gustafson
N. A. Steinauer

Gering Valley Public Power District, Full Term

Melvin Bennett
Ed Jacobs

Hall County Public Power District, Full Term

E. Riesland
James Kunz

Howard County Public Power District, Full Term

Ed L. Kolar
Andrew Christensen
John Gudenrath
Emmett Wagner
Henry Bremer, Sr.

Imperial Valley Public Power District, Full Term

D. T. Carse
L. D. Carter
Omar Nutzman

Loup River Public Power District, Full Term

E. T. Miessler
Phil R. Hockenberger
Con Keating

McCook Public Power District, Full Term

S. E. Callen
R. R. Robinson

McCook Public Power District, 4-year Term

A. J. Crabtree
M. L. Search

Madison County Public Power District, Full Term

George Klein
John Reeves
A. H. Dederman

Middle Loup Public Power District Subdivision No. 1, Full Term

Fay Spooner

Middle Loup Public Power District Subdivision No. 5, Full Term

John Alfred Johnson

Mirage Flats Public Power District, Full Term

Lee Alcorn

Elmer E. Sturgeon

Norris Rural Public Power District Subdivision No. 2, Full Term

Bernhard Hellbusch

Norris Rural Public Power District Subdivision No. 6, Full Term

Herman Rohlfing

Norris Rural Public Power District Subdivision No. 7, Full Term

F. W. Ball

Norris Rural Public Power District Subdivision No. 10, Full Term

Herman Hestermann

Norris Rural Public Power District Subdivision No. 14, Full Term

Robert Pickel

North Loup Public Power District Subdivision No. 1, Full Term

C. W. McClellan

North Loup Public Power District Subdivision No. 2, Full Term

J. W. McGinnis

Northeast Nebr. Public Power District, Full Term

N. K. Liewer

Lewis Doxtad

Platte Valley Public Power District, Full Term

Horace J. Cary
Paul F. Stuckey
Charles H. Sheets

Platte Valley Public Power District, 2-year Term

James G. Kunz

Polk County Rural Public Power District, Full Term.

George F. Buchta
Merwin D. Carlson

Republican River Public Power District, Full Term

Oswin Keifer
Paul Spence
L. W. Ely

Roosevelt Rural Public Power District, Full Term

Ora Randall
Buford L. Jones
Claude Thomas

Sargent Public Irrigation District, Full Term

George R. Semler
Jerry Conrad

Southern Nebraska Public Power District Subdivision No. 2, Full Term

Leonard C. Andersen
Louis A. Youngson

Southern Nebraska Public Power District Subdivision No. 5, Full Term

Raymond D. Mesner

Southern Nebraska Public Power District Subdivision No. 6, Full Term

Thomas A. Williamsen

Stanton County Rural Public Power District, Full Term

Iver S. Johnson
Harry Nicholas
Earl Scherer
William Hoehne

Stanton County Rural Public Power District, 4-year Term

Harry Nicholas

United Public Power District, Full Term

Henry Mousel

United Public Power District, 2-year Term

H. L. Mousel
L. C. Richardson
T. Minick

United Public Power District, 4-year Term

L. Richardson
B. F. Butler
Mike Brown

York County Public Power District, Full Term

Nat R. Simmons
Curtis S. Reed
Raymond L. Samson

York County Public Power District, 2-year Term

C. C. Litchenberger

AMENDMENT TO THE CONSTITUTION—Proposed by the Legislature

To amend
Section 4, Article IX
Constitution of Nebraska

For	Against
125,513	160,801

MOTION—To Dispense With Reading Returns

Mr. President: I move that the reading of the tabulated returns be dispensed with and that the abstract prepared by the Secretary of State be accepted as the accredited returns of the election held November 3, 1942, in the State of Nebraska and that the tabulated returns be printed in the Journal.

(Signed) Peterson

The motion prevailed.

The committee escorted the Secretary of State to his office.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

Mr. President: Your committee to notify the Governor begs leave to report that we have done so and ask that we be dismissed.

(Signed) Neubauer, Chairman

The President dismissed the committee.

MOTION—Committee on Committees

Mr. President: I move that we proceed to vote upon the Chairman of Committee on Committees.

(Signed) Greenamyre

The motion prevailed.

Nominating ballot for Chairman of Committee on Committees:

Tvrdik	26
Gantz	6
Neubauer	1
Raecke	1
Mueller	2
Peterson	4
Garber	1
Mischke	1

Having received a majority vote of the elected members, Mr. Raecke moved that the informal ballot be made formal and that Mr. Tvrdik be declared elected. The motion prevailed.

The President declared Charles F. Tvrdik elected Chairman of the Committee on Committees.

MOTION—Committee on Committees

Mr. President: I move that we authorize the members residing within each congressional district to nominate three members to be elected by the Legislature and who shall serve on said Committee on Committees.

(Signed) Gutoski

The motion prevailed.

Recess

At 2:30 p. m. the President declared the Legislature at ease.

At 2:45 p. m. the President called the Legislature to order.

Nominations from the Congressional Districts were reported as follows:

First District:

C. Petrus Peterson   Joseph C. Reavis   E. M. Neubauer

Second District:

Peter P. Gutoski   William J. Norman   Tom Dooley

Third District:

A. J. Brodahl   Martin J. Mischke   William A. Crossland

Fourth District:

Harry E. Gantz   John F. Doyle   Fred A. Mueller

MOTION—Committee on Committees

Mr. President: I move that the persons chosen by the members from the different congressional districts be declared duly elected thereto.

(Signed) Klaver

The motion prevailed and the President declared said members elected on the Committee on Committees.

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that we arrange to hold inaugural ceremonies at 2:00 p. m. Thursday, January 7, 1943.

(Signed) Ogden

The motion prevailed.

MOTION—Arrangements for Inaugural Ceremonies

Mr. President: I move that the President appoint a committee of five to notify the Governor that the inaugural ceremonies have been arranged for Thursday, January 7, 1943, at 2:00 p. m. in the legislative chamber, and that the committee assist in making final arrangements for these ceremonies.

(Signed) Garber

The motion prevailed and the President appointed the following members to serve on said committee:

Garber, Chairman
Foster
Cullingham
Thompson
Burnham

MOTION—To Secure Venetian Blinds

Mr. President: I move that venetian blinds be placed on the south windows of the legislative chamber, to be paid for out of the legislative fund.

(Signed) Mueller

The motion prevailed.

Adjournment

At 2:52 p. m. Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Wednesday.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Hugo F. Srb
Clerk of the Legislature.

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 6, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President William E. Johnson presiding.

Prayer was offered by the Reverend Leonard L. Chambers, Chaplain.

The roll was called and all members were present.

The Journal for the first day was approved as corrected.

MESSAGE FROM GOVERNOR

Permanent School Fund

December 31, 1942

To the Honorable President and Members of the Legislature
Fifty-sixth Session—1943
State Capitol Building

Attention: Mr. Hugo Srb, Clerk

We submit herewith a copy of a Summary of an Audit of the Permanent School Fund of the State of Nebraska, covering the years from January 1, 1869 to June 30, 1939, as prepared by Ray C. Johnson, Auditor of Public Accounts, at the request of the Board of Educational Lands and Funds. We wish to recommend that a copy of this summary be printed in the Legislative Journal, in order that each member of the Legislature may have a copy for his information.

This report is self-explanatory but we wish to call your attention to one item of $181,637.73 which represents income from lease rental and penalty interest on Saline lands which is shown as a loss to the Permanent School Fund. Under the provisions of Section 72-502 CSN 1929, this rental should have been credited to the Permanent School Fund. For some reason this has not been done, but instead such income has been credited to the Temporary School Fund. So, while the summary prepared by the Auditor shows this as a loss to the Permanent School Fund, it is actually money which was received and expended for the benefit of the common schools of the State of Nebraska. We believe, however, that in all fairness to the taxpayers of the school districts which contain Saline lands within their boundaries, the law should be amended to provide that such income be credited to the Temporary School Fund, so that such districts may share fully in the apportionment of the Temporary School Fund.

We, therefore, recommend to your Honorable Body that Section 72-502 CSN 1929 be amended to provide that the income received from rental of Saline lands be credited to the Temporary School Fund, and further recommend that your Body ratify the action of former State Treasurers in crediting such income in the amount of $181,637.73 to the Temporary School Fund.

Respectfully submitted by the
Board of Educational Lands and Funds

(Signed) Dwight Griswold
Governor and Chairman

Frank Marsh
Secretary of State

Walter R. Johnson
Attorney General

L. B. Johnson
State Treasurer

Charles W. Taylor
Superintendent of Schools

Attest:

H. H. Bartling
Secretary
SEAL

December 21, 1942

Hon. Dwight Griswold, Governor,
Chairman Board of Educational Lands & Funds,
State House,
Lincoln, Nebr.

Dear Governor Griswold:

Acting on a request made by the Board of Educational Lands and Funds on February 27, 1942, we hand you herewith the summary of our audit and investigation of the Permanent School Fund of the State of Nebraska covering the years from January 1, 1869 to June 30, 1939. Since June 30, 1939, we have made regular semi-annual audits of this fund which is embodied in our semi-annual audit of the office of the State Treasurer. On January 7, 1943, we will have our regular semi-annual audit of this office in your hands and it will show a complete list of all investments of the Permanent School Fund as of that date, together with the present status of each investment.

In this audit, a complete and detailed check was made of all receipts and disbursements as shown by the records, accounts, and books of the State Treasurer. No records could be found prior to the year 1869. The balances shown by the State Treasurer's account on January 1, 1869, was used as a starting point.

Each and every entry as shown by the records of the State Treasurer's office, whether a collection or disbursements was transcribed to our work sheets and when amounts were posted in the aggregate that amount would be broken down so proper credit or debit could be made.

Each and every investment account was also transcribed to our work sheets and each debit or credit carefully checked.

In making up our work sheets, the annual balances, as shown by the State Treasurer, were maintained.

Our work sheets used in arriving at our totals are too voluminous to copy and make a part of this report, but they are intact and are on file in the office of Auditor of Public Accounts for any future reference.

In making this audit we built up the Permanent School Fund by months and then by years, thereby having a check on the balance each month and year as shown in the office of the State Treasurer. We credited this account with each collection effecting, or which under the law, belonged to this fund, that is, receipts from the sale of common school lands, receipts from the sale of Saline lands, also all income from every source from the Saline land was credited to this account in accordance with the law governing these lands. The records in the office of the state Treasurer will show receipts from income, interest, etc., from Saline lands was credited to the **Temporary School Fund.** We also credited this account with the 5% commission from sale of public lands, receipts from escheated estates, and all judgments in favor of the State.

We are now completing a similar audit and investigation of the Bessey Memorial Fund. This report will be in your hands before January 7, 1943, and I would suggest a similar report be made of the Agricultural College Endowment Fund, Normal School Endowment Fund, Permanent University Fund, and the Soldiers' Relief Fund.

Respectfully submitted,
(Signed) Ray C. Johnson,
Auditor of Public Accounts.

SUMMARY OF AUDIT OF PERMANENT SCHOOL FUND TAKEN FROM THE RECORDS OF THE STATE TREASURER'S OFFICE FROM JANUARY 1, 1869 TO JUNE 30, 1939

CREDITS BELONGING TO PERMANENT SCHOOL FUND	Total Collections as shown by State Treasurer's Records		11,729,154.93
	5% Government Commission check taken by Governor Butler and deposited to the credit of his personal bank account May 25, 1869.		16,881.26
	Receipts for lease of and penalty interest on Saline land collections from July 1, 1893 to date, being credited to Temporary School Fund. In accordance with the laws of Nebraska, 1893, these credits should go to the **Permanent School Fund.**		181,637.73
LOSSES SUSTAINED FROM JANUARY 1, 1869 TO JUNE 30, 1939	Receipts for lease of and penalty interest on Saline lands credited to Temporary School Fund.	181,637.73	
	Warrants issued on fund never credited back. No explanation made. See work sheets 1, 2, and 3.	1,776.31	
	Certificate of Indebtedness on General Fund, Act of Legislature 1873, transferring balance of 5% Fund ($78,377.12), and from sale of all Government Bonds ($80,460.55) no record of the return.	158,837.67	
	State Treasurer Bartley loss charged off in 1897.	261,829.34	
	Whitney Bond charged off by the Board of Educational Lands and Funds 1936.	39,024.00	

Loss and Gain accounts made up of a greater or less return than the original or principal investment. An exhibit of such investment is itemized and attached hereto (shows a loss).	42,461.78		
TOTAL LOSS TO FUND AS OF JUNE 30, 1939		685,566.83	
Cash Balance as shown by State Treasurer June 30,1939.		493,249.79	
Total Investments as shown by same report June 30, 1939.		10,748,857.30	
		11,927,673.92	11,927,673.92

ACCOUNTS WHICH SHOW A GREATER OR LESS AMOUNT OF RETURN THAN THE ORIGINAL INVESTMENT

Date		Investment	Total Cost	Total Return	Gain	Loss
4-27-1870	John Cadman Loan	6,000.00	6,001.75			
	Secured by Real Estate Mortgage, deed taken to land in full settlement.					
	Land sold for			3,360.00		2,641.75
7-15-1870	Esther L. Warner Loan	6,000.00	6,000.00			
	Secured by Real Estate Mortgage, deed taken to land in full settlement.					
	Land sold for			4,089.70		1,910.30

8-2-1870	A. F. and A. C. Fichenor Loan	10,000.00	10,000.00			
	Assumed by Sweet & Brock					
	Paid by Sweet & Brock			10,500.00	500.00	
10-26-1870	A. P. Cogswell Loan	1,250.00	1,250.00			
	No security shown-Turned over to Attorney General 11-14-1877 for collection, no returns.					1,250.00
	(Thorough search was made of all State and Lancaster County records, no files being found.)					
10-7-1870	Christian Church (Nebraska City) Loan	4,000.00	4,000.00			
	Secured by Real Estate Mortgage. Foreclosed and title taken by State					4,000.00
	(Legislature (Laws of Nebr. 1879-pg. 472) donated the property to Nebraska City for school purposes.)					
11-9-1870	A. J. Cropsey Loan	10,000.00	10,000.00			
	Secured by Real Estate Mortgage, deed taken to land in settlement. (Taxes paid on land)		877.00			
	Land sold for			18,840.00	7,963.00	
10-18-1870	Wm. F. Chapin Loan	1,000.00	1,000.00			
	No security shown, turned over to Attorney General 11-14-1877 for collection, no returns.					1,000.00
	(Thorough search of all State and Lancaster County records was made no files being found.)					

ACCOUNTS WHICH SHOW A GREATER OR LESS AMOUNT OF RETURN THAN THE ORIGINAL INVESTMENT

Date		Investment	Total Cost	Total Return	Gain	Loss
11-1-1871	Wm. Fulton Loan	2,500.00	2,500.00			
10-6-1887	Settled by Board for $1000.00			1,000.00		1,500.00
	No securiy shown on this Loan.					
12-22-1870	John M. Young Loan	5,000.00	5,000.00			
	This loan was settled by the deeding by N. S. Harwood of NW¼ 9-9-6 E. to the State. The land is still owned by the State and entered on school land records, being leased to State Hospital.					
	As far as cash funds, no returns.					5,000.00
12-24-1870	Lyman Frost Loan	5,000.00				
	Judgment obtained by suit in District Court. Judgment paid			2,492.23		2,507.77
12-26-1870	Levi Schnell Loan	3,500.00	3,500.00			
	Secured by Real Estate Mortgage					
	Settled by deeding land to State (Taxes		975.86			
	pd.) Land sold for			8,200.00	3,724.14	
11-30-1870	Geo. W. Ballentine Loan	4,000.00	4,000.00			
	Secured by Real Estate Mortgage (Paid on Principal $120.00). Settled by deed-			120.00		
	ing land to State. Land sold for			3,678.57		201.43

11-1-1870	D. C. Jenkins Loan	2,000.00	2,000.00			
	Secured by Real Estate Mortgage					
	Settled by deeding land to State. Cost		14.20			
	Land sold for			1,120.00		894.20
1-1-1871	John Gillispie Loan	4,000.00	4,000.00			
	Secured by Real Estate Mortgage		634.69			
	Foreclosed and title taken by State					
	(Cost $176.73 Taxes 634.69)		176.73			
	Property sold for lots			2,800.00		
	land			3,400.00	1,388.58	
	Governor Butler 5% Commission check	16,881.26				
	In settlement the State took a deed					
	to land in Jefferson, Gage, and Pawnee					
	Counties		16,881.26			
	which was sold for			30,340.17	13,458.91	
	(See Senate Journal 1875 page 82)					
	This difference could be errors in posting to other Trust Funds, or Temporary Funds, or it may be a loss sustained before January 1, 1869 as no prior records are available		8,720.07			8,720.07

ACCOUNTS WHICH SHOW A GREATER OR LESS AMOUNT OF RETURNS THAN THE ORIGINAL INVESTMENT

The following is a list of Investments in Bonds where there is a difference in the cost of the Investment and the amount of returns credited

(A complete analysis of these accounts is shown on our work sheets)

	Investment	Total Cost	Total Return	Gain	Loss
Hall County Bonds	7,000.00	6,334.99	7,000.00	665.01	
School District No. 15 Gage County	5,000.00	4,650.00	5,000.00	350.00	
School District No. 34 Nemaha County	3,000.00	2,790.00	3,000.00	210.00	
School District No. 3 Franklin County	2,000.00	1,676.90	2,000.00	323.10	
School District No. 75 Cass County	690.00	621.00	690.00	69.00	
Saunders County	14,000.00	13,300.00	14,000.00	700.00	
Seward County	1,500.00	1,425.00	1,500.00	75.00	
Johnson County	6,000.00	5,820.00	6,000.00	180.00	
Saunders County	7,000.00	6,510.00	7,000.00	490.00	
York County	16,000.00	14,097.60	16,000.00	1,902.40	
York County	1,000.00	863.88	1,000.00	136.12	
Valley County	2,000.00	1,940.00	2,000.00	60.00	
Dawson County	7,000.00	6,990.00	7,000.00	10.00	
Kearney County Bridge	11,000.00	10,973.87	11,000.00	26.13	
Dawson County	12,000.00	11,991.68	12,000.00	8.32	
Hall County Railroad	4,000.00	3,972.02	4,000.00	27.98	
Hall County Railroad	1,000.00	987.50	1,000.00	12.50	
Hall County Railroad	8,000.00	7,994.15	8,000.00	5.85	
Greeley County	16,000.00	15,990.26	16,000.00	9.74	
Dawson County	5,000.00	4,998.33	5,000.00	1.67	
Harlan County	1,500.00	1,425.00	1,500.00	75.00	
Harlan County	500.00	495.00	500.00	5.00	

Harlan County	17,500.00	17,412.50	17,500.00	87.50	
Sherman County Railroad	29,000.00	28,275.50	29,000.00	724.50	
Douglas County	150,000.00	160,893.75	150,000.00		10,893.75
Logan County	3,000.00	3,562.90	3,000.00		562.90
Blaine County	2,500.00	2,704.59	2,500.00		204.59
Blaine County	3,000.00	3,245.50	3,000.00		245.50
Nance County Court House and Jail	17,000.00	18,565.31	17,000.00		1,565.31
Butler County Railroad	4,000.00	4,550.80	4,000.00		550.80
Dakota County	125,000.00	130,112.50	125,000.00		5,112.50
Richardson County Railroad	3,170.00	3,342.56	3,170.00		172.56
Harlan County	2,000.00	2,018.05	2,000.00		18.05
Otoe County	85,000.00	85,708.33	85,000.00		708.33
Boyd County	19,000.00	20,176.60	19,000.00		1,176.60
Nuckolls County Court House	10,000.00	10,236.11	10,000.00		236.11
Dawson County	18,000.00	19,290.00	18,000.00		1,290.00
Nuckolls County Court House	10,000.00	10,290.28	10,000.00		290.28
Douglas County Exposition	100,000.00	104,600.00	100,000.00		4,600.00
Butler County	33,000.00	36,544.05	33,000.00		3,544.05
Douglas County	152,000.00	160,631.80	152,000.00		8,631.80
Wayne County	25,000.00	27,868.62	25,000.00		2,868.62
Douglas County	33,000.00	36,353.96	33,000.00		3,353.96
Total (Pgs. Numbered 1, 2 & 3)	1,053,441.26	1,099,762.45	1,057,300.67	33,189.45	75,651.23
Loss (Pgs. Numbered 1, 2 & 3)			42,461.78	42,461.78	
	1,053,441.26	1,099,762.45	1,099,762.45	75,651.23	75,651.23

Mr. Greenamyre moved that reading of the letter and summary of audit be dispensed with if published in the Legislative Journal.

The motion prevailed and the President stated the same would be included in the Journal.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees submits the following schedule for the selection of the standing committees:

AGRICULTURE—Neubauer, Chairman

Carmody
Thomas
Dooley
Sorrell
Jeppesen
Weborg
Burnham
D. S. Anderson

APPROPRIATIONS—Greenamyre, Chairman

Reavis
Heiliger
Garber
Norman
Tvrdik
Brodahl
Crossland
Mueller
Hanna
Jeffords

BANKING, COMMERCE & INSURANCE—Peterson, Chairman

Conklin
Hubka
Gutoski
Ogden
Lee
Mischke
Doyle
Osborne

CLAIMS & DEFICIENCIES—Mekota, Chairman

Carmody
Cullingham
Rakow
D. S. Anderson

EDUCATION—Matzke, Chairman

Peterson
Neubauer
Dooley
Ogden
Mischke
Weborg
Osborne
Asimus

ENROLLMENT & REVIEW—J. H. Anderson, Chairman

Bowman
Foster
Matzke
Asimus

GOVERNMENT—Doyle, Chairman

Conklin
Peterson
Sorrell
Ogden
Weborg
Jeppesen
Asimus
Osborne

JUDICIARY—Gantz, Chairman

Hubka
Klaver
Gutoski
Lee
Raecke
Thompson
Crosby
J. H. Anderson

LABOR & PUBLIC WELFARE—Craven, Chairman

Bowman
Conklin
Thomas
Sorrell
Foster
Jeppesen
Burnham
Doyle

LEGISLATIVE ADMINISTRATION—Klaver, Chairman

Bowman
Carmody
Rakow
Osborne

PUBLIC HEALTH & MISCELLANEOUS SUBJECTS—Foster, Chairman

Thomas
Mekota
Bowman
Rakow

PUBLIC WORKS—Mischke, Chairman

Neubauer
Carmody
Craven
Cullingham
Dooley
Matzke
Burnham
D. S. Anderson

REVENUE (taxation)—Raecke, Chairman

Mekota
Craven
Klaver
Cullingham
Rakow
Thompson
Crosby
Gantz

RULES—Sorrell, Chairman

Hubka
Cullingham
Lee
Crosby

(Signed) Tvrdik, Chairman.

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted. (Signed) Tvrdik, Chairman.

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 1. By Sorrell of Otoe.

A bill for an act to amend sections 66-319, 66-401, 66-405, 66-411 and 66-416, C. S. Supp. 1941, relating to motor vehicle fuels; to levy an excise tax of three cents per gallon upon motor vehicle fuels of the type known as "alcohol blend"; to allocate the moneys received from such tax; to except alcohol made from black strap molasses from the provisions of this act; to define terms; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 2. By Craven of Lancaster.

A bill for an act to amend section 44-901, Compiled Statutes of Nebraska, 1929, relating to domestic assessment companies; providing that domestic assessment companies shall not begin to transact business in this state unless its by-laws provide that no officer or employe thereof shall be paid a salary in excess of ten thousand dollars per annum; and that the total salaries paid to all officers and employees, related by blood or marriage, shall not exceed fifteen thousand dollars per annum; providing that no certificate to transact insurance business in this state shall be issued by the Department of Insurance to any such assessment company paying a salary or salaries in excess of the amounts above provided; and to repeal the original section.

LEGISLATIVE BILL 3. By Craven of Lancaster.

A bill for an act to amend section 77-1201, Compiled Statutes of Nebraska, for 1929; to provide that the limitation upon taxing officers to make levy in excess of twenty per cent of the maximum rates of levy shall not apply where different rates of levy shall have been authorized by Legislatures subsequent to 1921, either in specific sums or where the act states the levy to be based on actual value; and to repeal the original section.

LEGISLATIVE BILL 4. By Craven of Lancaster.

A bill for an act to amend section 31-611, Compiled Statutes of

Nebraska, 1929, relating to sanitary drainage districts; providing that a sanitary drainage district may levy an additional tax of one mill on the dollar of actual valuation of taxable property for the purpose of widening, straightening and deepening channels to prevent floods, and that the tax money collected by the additional levy shall be used exclusively for the purpose specified; and to repeal the original section.

MOTION—Session Laws and Legislative Journals

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor, the Clerk of the Legislature and the Press, in all forty-six copies of the Session Laws of Nebraska, 1941 and the Legislative Journal for the fifty-fifth session of the Nebraska Legislature, for distribution to the above named recipients. (Signed) J. H. Anderson.

The motion prevailed.

MOTION—Courtesies to the Press

Mr. President: I move that the several representatives of the Press who are regularly assigned to report the proceedings of this Legislature be furnished the same books, copies of bills, and other supplies that are furnished to members. (Signed) Weborg.

The motion prevailed.

MOTION—Postage for Members

Mr. President: I move that the members be allowed the same postage this year as they had last year. (Signed) Gutoski.

The motion prevailed.

MOTION—Supplies for Lieutenant Governor

Mr. President: I move that the Lieutenant Governor be furnished with the same postage and supplies that are furnished to members. (Signed) Burnham.

MOTION—To Amend Rules

Mr. President: I move that Rule 3, Section 1 be amended by striking the words "Doorkeeper—Ass't. Sergeant-at-arms". (Signed) Crossland.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the motion heretofore made be voted on at once, without reference to the Committee on Rules. (Signed) Crossland.

The motion was lost with 7 ayes, 24 nays, 12 not voting.

The President referred the proposal to amend to the Committee on Rules.

MOTION—Assistant Sergeant-at-arms

Mr. President: I move that the rules be suspended and that the election of an assistant sergeant-at-arms be deferred until the Rules Committee reports. (Signed) Crossland.

The motion prevailed with 34 ayes, 2 nays, 7 not voting.

MOTION—Statutes and C. S. Supp. for Members

Mr. President: I move that the Secretary of State be directed to furnish, upon request, to each member of the Legislature, the Lieutenant Governor, the Clerk of the Legislature and the Press, but not to exceed forty-six copies of the Compiled Statutes of Nebraska, 1929; and that the Committee on Legislative Administration be directed to purchase from the compiler not to exceed forty-six copies of the C. S. Supp. Neb. 1941, for distribution to the above named recipients upon their request. (Signed) Hubka.

The motion prevailed.

MOTION—To Amend Rules

Mr. President: I move that Rule 6 be amended by adding sections 11 and 12 as follows:

Section 11. No claim shall be considered by the Claims Committee unless filed within the first twenty legislative days of the session, unless otherwise ordered by the Legislature.

Section 12. The claims Committee shall not consider any claims heretofore filed with and rejected by the Legislature at two or more previous sessions. (Signed) Mekota.

The President referred the proposal to the Rules Committee.

Speaker Crosby presiding

BILLS ON FIRST READING (Continued)

The following bills were read the first time by title:

LEGISLATIVE BILL 5. By Matzke of Seward. By request of Legislative Council.

A bill for an act relating to claims against the State of Nebraska; providing for the establishment of a "sundry claims board" to receive and investigate claims against the state for the payment of which no moneys have been appropriated; prescribing the powers and duties of the "sundry claims board"; and requiring report to the Legislature upon all claims filed.

LEGISLATIVE BILL 6. By Matzke of Seward. By request of Legislative Council.

A bill for an act relating to the deposit of funds coming into the hands of county officers other than the county treasurer; defining terms; requiring all county officers to deposit moneys coming into their hands, within three days of the receipt thereof, in bank or banks designated as depositories by the county board; requiring deposits so made to be secured by either depository bonds or pledge of securities; regulating the manner and method of making deposits and handling of securities; and relieving such officers from liability when deposits are made in accordance with the provisions of this act.

LEGISLATIVE BILL 7. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Section 88-162, Compiled Statutes of Nebraska, 1929, relating to public warehouses; providing that bonds shall be filed with and approved by and licenses issued by the State Railway Commission instead of the Governor; and to repeal said original section.

LEGISLATIVE BILL 8. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Section 32-917, Compiled Statutes of Nebraska, 1929, relating to elections; providing for the deposit of poll books with one of the judges of election in all counties; eliminating the separate canvass of votes and issuance of certificates of election of township officers by the township board; and to repeal said original section.

LEGISLATIVE BILL 9. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Section 32-406, C. S. Supp. 1941, relating to elections; providing for filling of vacancies on election boards prior to all elections; providing that where a member of an election board is a candidate for office, his membership on the election board shall be deemed vacant; and to repeal said original section.

LEGISLATIVE BILL 10. By Matzke of Seward. By request of Legislative Council.

A bill for an act relating to the powers and duties of the State Fire Marshal; providing that the State Fire Marshal shall have authority to prescribe standards for wiring and installation of electrical equipment of rural electrification districts; providing that the State Fire Marshal, or any of his deputies or assistants, may inspect wiring and installations and condemn unsatisfactory installations and equipment and require the removal thereof or repairs thereto; authorizing the State Fire Marshal to charge inspection fees sufficient to cover the cost thereof, including the administration of this act, and requiring the inspection fees collected to be paid over to the State Treasurer, to be used, when appropriated, in paying the cost of inspections, including the administration of this act; and to provide a penalty.

LEGISLATIVE BILL 11. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Sections 16-702, 17-567, and 77-1801, C. S. Supp., 1941, relating to assessment and levy of taxes; providing that cities of the first class, cities of the second class and villages shall certify to the county clerk the amount of money for each fund and the number of mills which said cities and villages desire to have levied for municipal purposes; providing that the levy of the taxes for municipal corporations and governmental subdivisions, required by law to be certified to the county clerk, shall be made by the county board of equalization at such mill rate as shall be sufficient to raise the amount of money for each fund as certified, unless to do so would exceed the statutory limits, and that where a request for levy is certified in excess of the maximum provided by law, the county board of equalization shall levy the statutory maximum amount and no more; and to repeal the original sections.

LEGISLATIVE BILL 12. By Matzke of Seward. By request of Legislative Council.

A bill for an act relating to personal property which has escheated to the State of Nebraska; providing that the State Board of Educational Lands and Funds may dispose of and convert into money articles of tangible personal property which have become the property of the State of Nebraska through escheat or forfeiture.

LEGISLATIVE BILL 13. By Matzke of Seward. By request of Legislative Council.

A bill for an act relating to legal publications; to provide the form and manner of publishing all legal and official notices not otherwise specifically provided for by the Constitution of Nebraska.

LEGISLATIVE BILL 14. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Sections 32-211, 32-212, and 33-129, Compiled Statutes of Nebraska, 1929, and Section 2-1801, C. S. Supp. 1941, relating to assessing officers; providing that in each county having a population of eight thousand inhabitants or more there shall be elected a county assessor; prescribing the compensation of county assessors; providing for the abolishment of the office of precinct assessors; providing for the performance of certain duties heretofore imposed upon the precinct assessor by the county assessor and his assistants; and to repeal said original sections.

LEGISLATIVE BILL 15. By Matzke of Seward. By request of Legislative Council.

A bill for an act to amend Section 12-119, Compiled Statutes of Nebraska, 1929, relating to official bonds; providing for the amount of bond to be given by the county assessor, his deputy and assistants; eliminating provisions for bond of the commissioner of Public Lands and Buildings, the deputy commissioner of Public Lands and Buildings and precinct assessors; and to repeal said original section.

LEGISLATIVE BILL 16. By Matzke of Seward. By request of Legislative Council.

A bill for an act providing the manner and method of levying and assessing taxes; regulating the administration of the general tax laws of the state; providing penalties for the violation thereof; and repealing all of Chapter 77, Compiled Statutes of Nebraska, 1929, and all amendments thereof in force at the date of the passage of this act, and all acts and parts of acts inconsistent with this act.

LEGISLATIVE BILL 17. By Reavis of Richardson, Raecke of Merrick and Crosby of Lincoln.

A bill for an act relating to process in civil proceeding or administrative actions; providing for mailing notice to the Alien Property Custodian of a copy of process or notice of proceeding involving property, where service of process or notice is required to be made upon or given to a person in any enemy country or enemy occupied country; and to declare an emergency.

LEGISLATIVE BILL 18. By Reavis of Richardson, Raecke of Merrick and Crosby of Lincoln.

A bill for an act relating to jurisdiction of the courts of record of this state; providing that the Congress of the United States may confer jurisdiction on courts of record to enforce war emergency acts of Congress and federal regulations enacted to aid the progress of the war; providing that law enforcement officers shall aid in carrying into effect the jurisdiction conferred; providing that this act shall terminate on March 1, 1945; and to declare an emergency.

LEGISLATIVE BILL 19. By Reavis of Richardson, Raecke of Merrick and Crosby of Lincoln.

A bill for an act relating to federal grants of funds and federal grants and loans of equipment, supplies, materials, and other property for war and defense purposes; authorizing the acceptance thereof by the state or any political subdivision or agency thereof and administration of the same; and to declare an emergency.

LEGISLATIVE BILL 20. By Reavis of Richardson, Raecke of Merrick and Crosby of Lincoln.

A bill for an act to amend Section 66-819, C. S. Supp. 1941, relating to transportation of motor vehicle fuels and petroleum products; eliminating the requirement that drivers of motor vehicles transporting motor vehicle products must be more than 21 and less than 60 years of age; and to repeal original Section 66-819, and, also Section 66-701 and 66-818, C. S. Supp. 1941.

LEGISLATIVE BILL 21. By Greenamyre of Madison.

A bill for an act to amend Section 83-741, Compiled Statutes of Nebraska, 1929, relating to salaries of the superintendent of the state hospitals for the insane; to provide that the salary of each superintendent of such hospital shall not exceed the sum of forty-eight hundred dollars per annum, to be determined by the Board of Control; and to repeal the original section.

LEGISLATIVE BILL 22. By Greenamyre of Madison.

A bill for an act to amend Section 12-124, C. S. Supp. 1941, relating to official bonds; to provide that when the term of a bond executed by a surety company on behalf of a county officer, and the premium on which has been paid by the county, shall be reduced to a shorter term than is provided in the bond by death, resignation or otherwise, the surety company shall refund to the county the unearned portion of the premium; and to repeal the original section.

LEGISLATIVE BILL 23. By Greenamyre of Madison.

A bill for an act to amend Section 39-1133, C. S. Supp. 1941, relating to operation of overcrowded motor vehicles upon the highways; to eliminate the requirement that an investigation of an accident reveal that the accident occurred due to the front or driver's seat being occupied by more than three persons over the age of twelve years; and to repeal the original section.

LEGISLATIVE BILL 24. By Greenamyre of Madison.

A bill for an act to amend Section 79-2806, C. S. Supp. 1941, relating to junior colleges; to permit the temporary suspension of junior colleges when the United States is at war with another nation without affecting the legal status of such college, and to permit its reopening within a limited time after the termination of such war; and to repeal the original section.

LEGISLATIVE BILL 25. By Sorrell of Otoe.

A bill for an act to amend Section 71-2416, C. S. Supp. 1941, relating to Vital Statistics; providing that the Department of Health shall, free of charge, make search for and furnish certified copy of any vital statistics record on file with the department, upon request of the United States Veterans' Administration or any other governmental agency, to be issued for the welfare of any member or veteran of the armed forces of the United States or in the interests of his family; and to repeal the original section.

LEGISLATIVE BILL 26. By Conklin of Thayer.

A bill for an act to amend Section 8-150, Compiled Statutes of Nebraska, 1929, relating to loans by banks; providing that loans guaranteed by the United States government or any agency thereof shall not be considered in applying the limitation of the amount that a bank may loan to any single corporation, firm or individual; and to repeal the original section.

LEGISLATIVE BILL 27. By Conklin of Thayer.

A bill for an act to amend Section 8-134, Compiled Statutes of Nebraska, 1929, relating to cash reserves of banks; providing that the Director of Banking may, by general regulations, change from time to time the cash reserves required of banks which are not members of the Federal Reserve system; prescribing of what the cash reserves of a bank shall consist; and to repeal said original section.

LEGISLATIVE BILL 28. By Foster, Cullingham, and Gutoski, all of Douglas.

A bill for an act relating to the powers of the board of regents of a municipal university established by any city of the metropolitan class; to empower such board of regents to provide benefits for and insurance of present and future employees and appointees of the university payable upon retirement or death, under plans, rules and regulations determined by the board; to define who shall participate in such benefits; to prescribe the age of retirement; to limit the mutual contributions of the university and its employees to such plan; and to authorize such contributions to be supplemented by funds received from private gifts, in the case of existing employees.

LEGISLATIVE BILL 29. By Tvrdik, Klaver and Gutoski, all of Douglas.

A bill for an act to amend Section 39-1406, Compiled Statutes of Nebraska for 1929, relating to motor vehicle registration fees; to provide for a different division of such fees collected from residents of cities and incorporated villages within any county where the population of its cities and incorporated villages exceeds the rural population within its boundaries by 100,000 persons, and providing for the use of such fees received by cities and incorporated Villages; and to repeal said original section.

LEGISLATIVE BILL 30. By Tvrdik, Foster and Gutoski, all of Douglas.

A bill for an act to amend Sections 71-3514 and 71-3519, C. S. Supp., 1941, relating to housing authorities; to extend the time in which the development of projects may be initiated by housing authorities to provide housing for persons engaged in national defense activities; and to repeal said original sections.

LEGISLATIVE BILL 31. By Gutoski, Cullingham and Klaver, all of Douglas.

A bill for an act to amend Section 77-1906, Compiled Statutes of Nebraska, 1929, relating to revenue; to eliminate the requirement that tax receipts be required to be firmly bound in book form; to eliminate the necessity of a triplicate tax receipt; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL 32. By Tvrdik, Ogden and Norman, all of Douglas.

A bill for an act to amend Sections 77-1602, 77-1806, 77-1807, Compiled Statutes of Nebraska, 1929, and Sections 77-1804 and 1805, C. S. Supp. 1941, relating to revenue and taxation; granting to county boards authority, in their discretion, to cause to be used unit tax ledgers in lieu of tax lists; providing for the compilation, preparation and delivery of unit tax ledgers, and the manner and method of application of unit tax ledgers in the levy and collection of taxes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 33. By Ogden of Douglas.

A bill for an act to amend Section 8-142, C. S. Supp. 1941, relating to Banks and Banking; providing that the board of directors of a bank shall, before declaring a dividend, transfer twenty per cent of its net profits accumulated since the preceding dividend to its surplus, until the surplus fund shall equal fifty per cent of its paid-up capital stock; and to repeal said original section.

LEGISLATIVE BILL 34. By Ogden of Douglas.

A bill for an act to amend Section 8-152, Compiled Statutes of Nebraska, 1929, relating to loans by banks, providing that adequate security or property statement shall be obtained on all loans of five hundred dollars or more, and to repeal original section.

LEGISLATIVE BILL 35. By Hanna of Cherry.

A bill for an act to appropriate out of the Stock Brand Fund the sum of one thousand forty dollars for the Brand Book Fund; and to declare an emergency.

LEGISLATIVE BILL 36. By Bowman of Adams and Sorrell of Otoe.

A bill for an act to amend Section 20-2185, Compiled Statutes of Nebraska, 1929, relating to sales by referees in partition; providing that the court may, in its discretion, order real estate in partition proceedings sold at private sale on such terms as are ordered by the court at not less than its value determined by an appraisal; and to repeal the original section.

LEGISLATIVE BILL 37. By Matzke of Seward.

A bill for an act to amend Section 76-270, Compiled Statutes of Nebraska, 1929, relating to the taking of acknowledgments; providing that acknowledgments may be taken before any duly commissioned officer of the army, navy, marine corps, coast guard, or any other component part of the armed forces of the United States; and to repeal the original section.

LEGISLATIVE BILL 38. By Raecke of Merrick, Rakow of Antelope, and Jeppesen of Dakota.

A bill for an act relating to revenue and taxation; providing for the enforcement of delinquent real estate taxes and special assessments by one form of foreclosure proceedings; and to repeal Sections 77-2039, 77-2040, and 77-2041, C. S. Supp. 1941, Sections 77-2042, 77-2043, 77-2044, 77-2045, 77-2046, 77-2047 and 77-2048, Compiled Statutes of Nebraska, 1929, all of Article 21, Chapter 77, Compiled Statutes of Nebraska, 1929, and all amendments thereof in force at the date of the passage of this act, and all other acts or parts of acts in conflict with this act.

LEGISLATIVE BILL 39. By Raecke of Merrick and Rakow of Antelope.

A bill for an act to amend Section 33-116, Compiled Statutes of Nebraska, 1929, relating to fees to be charged by the county clerk as ex officio register of deeds; providing that the flat fee charged for recording instruments in probate cases shall include the fees for indexing; and to repeal the original section.

MOTION—To Read Bills Second Time

Mr. President: I move that the rules be suspended and the bills read the first time today be read a second time and referred to committees. (Signed) Peterson.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Recess

At 11:55 a. m. Mr. Gantz moved that the rules be suspended and that the Legislature recess until 2:00 p. m.

The motion prevailed with 35 ayes, no nays, 8 not voting.

After Recess

Pursuant to motion the Legislature reconvened at 2:00 p. m. Speaker Crosby presiding.

The roll was called and all members were present.

BILLS ON SECOND READING

The following bills were read the second time by title:
(For titles see Bills on First Reading)

L.B.	Introducer	Committee Reference
1	Sorrell	Agriculture
2	Craven	Banking, Commerce & Insurance
3	Craven	Revenue
4	Craven	Revenue
5	Matzke. By request of Legislative Council	Government
6	Matzke. By request of Legislative Council	Government
7	Matzke. By request of Legislative Council	Public Works
8	Matzke. By request of Legislative Council	Government
9	Matzke. By request of Legislative Council	Government
10	Matzke. By request of Legislative Council	Public Works
11	Matzke. By request of Legislative Council	Government
12	Matzke. By request of Legislative Council	Judiciary

13	Matzke. By request of Legislative Council	Judiciary
14	Matzke. By request of Legislative Council	Government
15	Matzke. By request of Legislative Council	Government
16	Matzke. By request of Legislative Council	Revenue
17	Reavis, et al	Judiciary
18	Reavis, et al	Judiciary
19	Reavis, et al	Government
20	Reavis, et al	Public Works
21	Greenamyre	Appropriations
22	Greenamyre	Government
23	Greenamyre	Public Works
24	Greenamyre	Education
25	Sorrell	Public Health & Misc. Subs.
26	Conklin	Banking, Commerce & Insurance
27	Conklin	Banking, Commerce & Insurance
28	Foster, et al	Education
29	Tvrdik, et al	Revenue
30	Tvrdik, et al	Government
31	Gutoski, et al	Government
32	Tvrdik, et al	Government
33	Ogden	Banking, Commerce & Insurance
34	Ogden	Banking, Commerce & Insurance
35	Hanna	Appropriations
36	Bowman, Sorrell	Judiciary
37	Matzke	Judiciary
38	Raecke, et al	Revenue
39	Raecke, Rakow	Revenue

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 1, Thursday, January 14, 1943, 2:30 p. m.

Banking, Commerce and Insurance

L. B. 26, Tuesday, January 12, 1943, 2:00 p. m.

L. B. 27, Tuesday, January 12, 1943, 2:00 p. m.
L. B. 34, Tuesday, January 12, 1943, 2:00 p. m.
L. B. 33, Tuesday, January 19, 1943, 2:00 p. m.

Judiciary

L. B. 12, Wednesday, January 13, 1943, 2:00 p. m.
L. B. 17, Wednesday, January 13, 1943, 2:00 p. m.
L. B. 37, Wednesday, January 13, 1943, 2:00 p. m.
L. B. 36, Wednesday, January 13, 1943, 2:00 p. m.
L. B. 13, Friday, January 15, 1943, 2:00 p. m.
L. B. 18, Friday, January 15, 1943, 2:00 p. m.

Public Works

L. B. 7, Wednesday, January 13, 1943, 2:00 p. m.
L. B. 20, Wednesday, January 13, 1943, 2:00 p. m.

Revenue

L. B. 3, Tuesday, January 12, 1943, 2:00 p. m.
L. B. 4, Tuesday, January 12, 1943, 2:00 p. m.
L. B. 29, Thursday, January 14, 1943, 2:00 p. m.
L. B. 39, Thursday, January 14, 1943, 2:00 p. m.
L. B. 16, Tuesday, January 19, 1943, 2:00 p. m.
L. B. 38, Tuesday, January 19, 1943, 2:00 p. m.

MOTION—Mailing Journals and Bills

Mr. President: I move that members be allowed to send to their constituents not to exceed thirty copies of journals and twenty copies of bills.

(Signed) Jeppesen

The motion prevailed.

Recess

At 3:15 p. m. on motion by Mr. Peterson the Legislature recessed until 4:15 p. m.

After Recess

The Legislature was called to order at 4:25 p. m. Speaker Crosby presiding.

The roll was called and all members were present.

Communications

A telegram was read from General Amos Thomas, a former member of the Legislature now serving in the armed forces, extending greetings to the members and wishing them a short and successful session.

REPORT OF COMMITTEE—Inaugural Ceremonies

Mr. Garber, Chairman, reported that arrangements for the inaugural ceremonies on Thursday, January 7, at 2:00 p. m. had been completed and a program was placed on the desks of the members.

STANDING COMMITTEE REPORTS

Rules

Mr. President: The Rules Committee met and elected Ladd J. Hubka secretary.

(Signed) Sorrell, Chairman

Mr. President: The Rules Committee recommends to the Legislature the rejection of Senator Crossland's motion to suspend the rules and amend Rule 3 Section 1 in regard to the election of Assistant Sergeant-at-arms.

The Committee further recommends to the Legislature the passage of Senator Mekota's motion to amend Rule 6 by adding Section 11 and Section 12 as contained in said motion.

(Signed) Sorrell, Chairman

Mr. Sorrell moved the adoption of the report on amendments.

Mr. Raecke asked for a division of the question.

The Clerk read the first part of the report and the motion to adopt prevailed.

The Clerk read the second part of the report and the motion thereon prevailed.

Mr. Mekota's motion to amend was restated, vote was taken thereon and the motion prevailed, with 38 ayes, 2 nays, 3 not voting.

The Speaker declared the Mekota amendment adopted.

STANDING COMMITTEE REPORTS

Appropriations

Mr. President: The Committee on Appropriations has organized and has selected Fred Mueller as vice chairman and William A. Crossland as secretary.

(Signed) Greenamyre, Chairman

Banking, Commerce & Insurance

Mr. President: Your Committee has elected Peter P. Gutoski vice chairman of Committee on Banking, Commerce and Insurance.

(Signed) Peterson, Chairman

Public Health and Miscellaneous Subjects

Mr. President: Your Committee has elected Ray Thomas vice chairman. No committee meetings were scheduled.

(Signed) Foster, Chairman

Public Works

Mr. President: Your Committee reports that Sidney J. Cullingham was elected vice chairman.

(Signed) Mischke, Chairman

MOTION—Assistant Sergeant-at-arms

Mr. President: I move that the Legislature proceed to the election of an Assistant Sergeant-at-arms, as directed by Rule 3 of the standing rules of the Legislature.

(Signed) Reavis

The motion prevailed.

The Speaker appointed Mr. Heiliger and Mr. Mischke tellers.

Nominating ballot for Assistant Sergeant-at-arms:

Linch	16
Zellers	1
McGrath	1
Frost	2
Gallagher	2

Second nominating ballot for Assistant Sergeant-at-arms:

Zellers	4
Frost	5
Gallagher	2
Linch	30
McGrath	1

Having received a majority vote of the elected members, Mr. Sorrell moved that the informal ballot be made formal and that Mr. Linch be declared elected.

The motion prevailed and the Speaker declared Clarence Linch elected Assistant Sergeant-at-arms.

Adjournment

At 5:15 p. m. Mr. Tvrdik moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 38 ayes, no nays, 5 not voting.

Hugo F. Srb
Clerk of the Legislature.

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 7, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the second day was approved as corrected.

STANDING COMMITTEE REPORT

Claims and Deficiencies

Mr. President: I report organization of the Claims and Deficiencies Committee, with D. S. Anderson as vice-chairman.

(Signed) Mekota, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 40. By Mischke of Knox and Greenamyre of Madison.

A bill for an act relating to premarital examination and public health; to provide for the filing of a physician's certificate by each applicant for marriage license stating that applicant, upon examination including a standard serological test, is not infected with syphilis or, if so infected, the disease is not in a communicable stage; to provide that physician's certificate be accompanied by statement from person authorized to make reports for laboratory making test and that both shall be on a form provided by the Department of Health and known as "the certificate form"; to define standard serological test and approved laboratory; to define the duties of the Department of Health in connection therewith; to authorize judge of the county court to waive compliance with requirements of this act for such applicant with infectious syphilis or with syphilis likely to become communicable in cases of emergency or for other sufficient cause; to provide free examinations and laboratory tests to indigent applicants for marriage license; to prescribe penalties for violations thereof; to appropriate five thousand dollars to carry out provisions of this act; to amend section 42-104, Compiled Statutes of Nebraska, 1929; to provide for the issuance of a license to marry; to provide for the written consent of parent or parents, or guardian or guardians of all contracting parties who shall not have attained the age of their majority before a license to marry shall be issued; to repeal the original section; to state validity and saving clauses; and to declare an emergency.

LEGISLATIVE BILL 41. By Mischke of Knox and Greenamyre of Madison.

A bill for an act relating to the prevention of congenital syphilis; to provide for the taking of a sample of blood of pregnant women for submission to an approved laboratory for a standard serological test for syphilis; to define standard serological test and approved laboratory; to provide for the filing of results of such tests with the Department of Health; to require birth certificate to show date when test was made and if no test, reason shall be recorded on certificate; to appropriate five thousand dollars to carry out provisions of this act; and to declare an emergency.

LEGISLATIVE BILL 42. By Raecke of Merrick.

A bill for an act to amend Section 20-1203, Compiled Statutes of Nebraska, 1929, relating to the testimony of husband and wife; providing that either the husband or wife may be a competent witness against the other in criminal prosecutions where the crime charged is rape, adultery, bigamy, incest, or any crime committed by the one against the other, and to repeal the original section.

LEGISLATIVE BILL 43. By Greenamyre of Madison and Lee of Dodge.

A bill for an act relating to banks and banking and fixing the rate of interest which may be charged by a "commercial bank" organized under the banking laws of the State of Nebraska or organized under the banking laws of the United States; to amend Sections 45-101 and 45-102, C. S. Supp. 1941, to except banks from the operation of the general interest laws; and to repeal the original sections.

LEGISLATIVE BILL 44. By Greenamyre of Madison.

A bill for an act to amend Section 77-1927, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that payment of the principal on all personal taxes more than ten years delinquent shall cancel all claims for the personal taxes for such years when subsequent taxes have been paid in full; and to repeal the original section.

LEGISLATIVE BILL 45. By Greenamyre of Madison.

A bill for an act to amend Sections 68-284, C. S. Supp. 1941 and 77-1802, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that all persons serving in the armed forces of the United States shall be exempt from the payment of the respective taxes therein imposed; and to repeal the original sections.

LEGISLATIVE BILL 46. By Greenamyre of Madison.

A bill for an act relating to decedents' estates; to provide for the summary settlement of estates of deceased persons where the real estate, if any, is wholly exempt, and the personal property, if any, does not exceed in amount and value the personal taxes, costs, reasonable expenses of administration and attorneys' fees, exemptions from liability for debts, expenses of funeral and last sickness, debts due the United States, and reasonable allowances for the family of the deceased; to provide for taxation and remission of costs; to amend Sections 30-332, 30-333 and 30-334, Compiled Statutes of Nebraska, 1929; to repeal the original sections; to provide that this act may be cited as the "small estates act;" to state a validity clause; and to provide that the remedy granted by the same shall be cumulative.

LEGISLATIVE BILL 47. By Hubka of Gage.

A bill for an act to amend Section 48-412, Compiled Statutes of Nebraska, 1929, relating to labor; empowering the Department of Labor to adopt codes relating to safety appliances, employments, and places of employment; providing for the enforcement of such codes or any amendments hereafter made thereto; and to repeal the original section.

LEGISLATIVE BILL 48. By Jeppesen of Dakota.

A bill for an act to amend Section 77-1921, Compiled Statutes of Nebraska, 1929, relating to revenue; to make delinquent taxes a first lien on the proceeds of any fire, lightning, windstorm, cyclone or tornado insurance policy whenever a loss aggregating forty per cent or more of the insured value of any insured buildings or improvements shall have occurred; to require insurance companies to ascertain and apply the proceeds of such policies to the payment of the taxes and special assessments or to the replacement of the buildings and improvements; to provide penalties and a method of recovery; and to repeal said original section.

LEGISLATIVE BILL 49. By Peterson of Lancaster.

A bill for an act relating to personal property; to regulate conditional sales and to make uniform the law relating thereto; to provide penalties for the violation thereto; to prescribe rules for the interpretation thereof; to designate a short title therefor; and to repeal all acts and parts of acts in conflict therewith.

LEGISLATIVE BILL 50. By Peterson of Lancaster.

A bill for an act relating to partnerships; to make uniform the law pertaining thereto; to provide for the citation of this act; to define the nature of a partnership; to state the relations of partners to persons dealing with the partnership; to define the relations of partners to one another; to define the property rights of a partner; to prescribe a procedure for the dissolution and winding up of partnerships; and to repeal all acts and parts of acts inconsistent with this act.

LEGISLATIVE BILL 51. Appropriations committee by Greenamyre of Madison, Chairman.

A bill for an act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-sixth session, Nebraska State Legislature, during the biennium ending June 30, 1943 and for the ad interim activities of said Legislature during the biennium ending June 30, 1945; to appropriate the sum of forty-five thousand dollars therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill drafting and related services of the Nebraska Legislative Council during the fifty-sixth session, Nebraska State Legislature, commencing January 5, 1943, and ending with the adjournment of the Legislature sine die; to appropriate the sum of six thousand five hundred dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 52. Appropriations committee by Greenamyre of Madison, Chairman.

A bill for an act to provide for the payment of the salaries of members of the Fifty-Sixth Session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1943; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

LEGISLATIVE BILL 53. By Foster of Douglas.

A bill for an act to amend Sections 48-301, 48-302, and 48-310, Compiled Statutes of Nebraska, 1929, relating to the employment of children; to extend the prohibition against employment of children to other specified places of employment; and to repeal the original sections.

LEGISLATIVE BILL 54. By Asimus of Holt.

A bill for an act to repeal Sections 77-1450 to 77-1468, C. S. Supp., 1941, known as the "Itinerant Merchant" act.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that the bills just read be read the second time.

(Signed) Mischke, Chairman

The motion prevailed with 39 ayes, no nays, 4 not voting.

Invitation

Mr. Tvrdik announced that the Board of Governors of Ak-Sar-Ben desires the members of the Legislature to reserve January 14, 1943 to be entertained by Ak-Sar-Ben in Lincoln.

Recess

At 10:30 a. m. Mr. Raecke moved to recess until 11:00 a. m.

The motion prevailed.

After Recess

The Legislature was called to order at 11:05 a. m. Speaker Crosby presiding.

Bills Referred

The President announced that L. B. 14 and L. B. 15 had been re-referred to Committee on Revenue.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B.	Introducer	Committee Reference
40	Mischke, Greenamyre	Public Health & Mis. Subs.
41	Mischke, Greenamyre	Public Health & Mis. Subs.
42	Raecke	Judiciary
43	Greenamyre, Lee	Banking, Com. & Ins.
44	Greenamyre	Revenue
45	Greenamyre	Revenue
46	Greenamyre	Judiciary
47	Hubka	Labor & Public Welfare
48	Jeppesen	Banking, Com. & Ins.
49	Peterson	Judiciary
50	Peterson	Judiciary
51	Appropriations Committee By H. G. Greenamyre Chairman	Appropriations
52	Appropriations Committee By H. G. Greenamyre Chairman	Appropriations
53	Foster	Labor & Public Welfare
54	Asimus	Revenue

SELECT COMMITTEE REPORTS

Legislative Council

January 7, 1943.

To the members of the Legislature of the State of Nebraska:

The Nebraska Legislative Council submits herewith the following items. (1) a copy of its report to the 56th session of the Nebraska Legislature; (2) a copy of the current Blue Book; (3) a copy of the minutes of each of its meetings during the past 2 years; and (4) a copy of each research report published since the adjournment of the last regular session of the Legislature.

The report of the Legislative Council, including a summary of its legislative program, was made public thirty days before the opening of the current legislative session, and a copy thereof was mailed to each member. Likewise, copies of the minutes and of the research reports have been mailed to members of the Legislature as they were released. The Council now desires, however, to present to the assembled Legislature copies of these documents to become a part of the official records of the Legislature of the State of Nebraska.

Respectfully submitted,
Nebraska Legislative Council,

(Signed) Stanley A. Matzke,
Vice Chairman and Acting Chairman.

Legislative Council reports No. 10 revised, and No's 16-23 inc. were submitted with the above report. Also a copy of the Blue Book.

Mr. Matzke moved that the report be adopted.

The motion prevailed.

Legislative Council

Mr. President: The following officers and employees of the Nebraska Legislative Council are herewith submitted for confirmation:

Name	Title
Shumate, Dr. Roger V.	Research Director
Price, Marguerite	Secretary
Nixon, Louise A.	Librarian & Reference Clerk
Hoffman, Bereniece	Research Assistant
James, Walter D.	Bill Drafter
Bongardt, Charles	Assistant Bill Drafter

Additional stenographic, clerical and bill drafting assistants to be employed as needed, but the number of such employees varies from day to day during the legislative session, depending on the volume of work.

(Signed) Stanley A. Matzke,
Vice Chairman & Acting Chairman,
Legislative Council.

Mr. Matzke moved that the report be adopted.

The motion prevailed.

MOTION—Vote of Thanks

Mr. President: I move that Mr. Henry Remington be accorded by this Legislature its vote of thanks and appreciation for his services at this session and at previous sessions, for his loyalty to the members and their interests, and for his never failing courtesy and good cheer; and that we extend to Henry our best wishes for success in the armed forces.

(Signed) Crosby.

The motion prevailed with 44 ayes.

Mr. Carmody called for remarks.

Henry responded with sincere thanks for the recognition.

MOTION—To Suspend Rules

Mr. President: I move that Section 3, Rule 7, be suspended and that the committee hearing by the Appropriations Committee upon Legislative Bills 51 and 52 be had without giving the five calendar days notice as provided by said rules.

(Signed) Greenamyre.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Recess

At 11:45 a. m. Mr. Mueller moved that the rules be suspended and that the Legislature recess until 1:45 p. m.

The motion prevailed with 39 ayes, no nays, 4 not voting.

After Recess

At 2:10 p. m. the Legislature was called to order, President Johnson presiding.

The roll was called and all members were present.

MOTION—Bonds of State Officers

Mr. President: I move that a committee of three be appointed to wait upon the Secretary of State for him to certify that Governor Dwight Griswold, Lieutenant Governor Roy W. Johnson, Auditor of Public Accounts Ray C. Johnson, State Treasurer Carl G. Swanson, Attorney General Walter R. Johnson, State Superintendent of Public Instruction Wayne O. Reed, and Railway Commissioner John Knickrehm, have furnished bond and have taken oath and both are on file with the Secretary of State; and that the same committee call upon the Auditor of Public Accounts for him to certify that the Secretary of State, Frank Marsh, has furnished bond and oath, and that both are on file with the Auditor of Public Accounts.

(Signed) Hanna

The motion prevailed and the President appointed the following members to serve on said committee:

Hanna, Chairman
Jeppesen
Jeffords

MOTION—To Escort Chief Justice and Associate Justices

Mr. President: I move that a committee of nine be appointed to escort the Chief Justice and Associate Justices and judges-elect of the Supreme Court before the Legislature for the purpose of administering the oath of office to the state officers-elect.

(Signed) Greenamyre

The motion prevailed and the President appointed the following members to serve on said committee:

Greenamyre, Chairman
Lee
Crossland
Hubka
Rakow
Raecke
Gutoski
Cullingham
Mekota

REPORT—Bonds of State Officers

Mr. President: Your committee appointed to wait upon the Secretary of State and the Auditor of Public Accounts has performed its duty and reports that the Governor-elect and all other state officers-elect have furnished bond and taken oath as required by law.

(Signed) Hanna, Chairman

Certificate of Auditor of Public Accounts

I, Ray C. Johnson, Auditor of Public Accounts for the State of Nebraska, hereby certify that Bond No. 198928 of the Great American

Indemnity Company of New York issued to Frank Marsh, Secretary of State for the State of Nebraska, in the amount of $50,000.00 has been approved as to form by the Attorney General of the State of Nebraska, as to Company and Agency by the Department of Insurance of the State of Nebraska, and by the Governor, Dwight Griswold, of the State of Nebraska on January 7, 1943, is now on file in the office of the Auditor of Public Accounts for the State of Nebraska together with his oath of office which has been properly sworn to.

Dated at Lincoln, Nebraska, State House, this 7th day of January, 1943.

(Signed) Ray C. Johnson
Auditor of Public Accounts
For the State of Nebraska.

Seal

MOTION—To Escort State Officers

Mr. President: I move that a committee of seven be appointed to notify the state officers-elect that the Legislature is in session and to escort them before this assembly for the purpose of taking the oath and being inducted into office.

(Signed) Thomas.

The motion prevailed and the President appointed the following members to serve on said committee:

Thomas, Chairman

Bowman	Matzke	Klaver
Foster	Asimus	Burnham

MOTION—To Escort District Judges-elect

Mr. President: I move that a committee of two be appointed to escort the District Judges-elect to the Legislative Chamber for the inaugural ceremonies.

(Signed) Peterson.

The motion prevailed and the President appointed the following members to serve on said committee:

Peterson, Chairman Craven

MOTION—To Escort Governor-elect

Mr. President: I move that a committee of five be appointed to escort Governor Griswold to the Legislative Chamber for the inaugural ceremonies.

(Signed) Garber.

The motion prevailed and the President appointed the following members to serve on said committee:

Garber, Chairman

Dooley	Ogden	Sorrell	Osborne

The following named officers were escorted to the rostrum by the respective committees:

Ralph P. Wilson, District Judge
Fay H. Pollock, District Judge
Roy William Johnson, Lieutenant Governor
Ray C. Johnson, Auditor of Public Accounts
Carl G. Swanson, State Treasurer
Walter R. Johnson, Attorney General
Wayne O. Reed, Superintendent of Public Instruction
John Knickrehm, Railway Commissioner
Robert W. Devoe, Board of Regents, State University

Dwight Griswold, Governor of Nebraska

Invocation

Invocation was pronounced by the Reverend Harold C. Gosnell of Lincoln.

The required oath of office was administered by Chief Justice Robert G. Simmons to the above named officers.

The President presented Governor Dwight Griswold who delivered the following:

INAUGURAL MESSAGE OF GOVERNOR

To the Members of the Fifty-sixth Session of the Legislature of Nebraska

January 7, 1943

Mr. President, Members of the Senate:

You gentlemen have been chosen by the people of Nebraska to assemble here and work in their behalf. I am here as Governor, chosen by the same people, elected for a second term.

Our task is different from that usually confronting a legislature and a governor because our nation is now engaged in a horrible war which, in one way or another, is thrusting its way into the life of every man, woman and child. It completely dominates our thoughts.

These are days of danger—danger not only from the vicious struggle for survival but from the inevitable post-war period when proper readjustment will be threatened by swarms of crackpot schemes.

What can we—the governing authorities of this state—what can we do during a brief legislative session to repel these dangers?

There are signs to guide us.

Two years ago at my inauguration I stated that very few new laws were needed for Nebraska and that my duty was rather to furnish a better administration of the laws we already had. Since then we in the executive departments have worked on that premise. If there were doubts as to its soundness, I think those doubts were washed away by the voters on November Third.

Now again I say, but even more emphatically, we can do the people of Nebraska a real service by just leaving them alone. Our people are busy with crops and livestock, they are busy in factory and business, they are busy with thoughts of fighting sons, husbands and fathers. In the name of common sense, let us rise above this fad of regulation and leave our people free to work and fight for the victory which must be won.

That is my paramount recommendation.

Two years ago we could not know, of course, that within eleven months, war would come to us. Our planning necessarily was based upon what we thought might happen. It was your foresight in creating the defense organization and in establishing an emergency appropriation, which permitted the state to properly function without a special legislative session. I trust the same foresight will continue with the enactment of war emergency measures, effective only for the duration.

So that you would not be delayed in your consideration of this emergency program or in your consideration of such other routine and corrective legislation as I have to offer, these bills have been printed. They are now ready for introduction. My budget recommendations are also ready. This is in keeping with plans of your own Legislative Council which, I believe, has its own legislative program ready for submission. Consequently, you can begin work at once. The avenue is open for a short, business-like session, free from petty squabbles—a session worthy of Nebraska and one of which you as senators may well be proud.

As the session progresses, many other bills will be placed before you from other sources. In considering them I suggest you bear in mind that our state agencies must contemplate assisting in the war effort by the orderly release of all possible manpower. State and municipal construction work should stop. Travel must be held to a minimum. Like other Americans, we in the state's service, must be willing to work longer hours. We ask such performance and more of our fighting men; we cannot shirk it ourselves.

We will also aid in the war effort by keeping taxes at a minimum. People must have opportunity to pay the tremendously increased federal taxes, meet higher living costs and invest in War Bonds. In my judgment, there are better ways of avoiding inflation than by levying taxes, merely to reduce consumer purchasing power.

As you work, remember Nebraska is a great state. We have no state debt of any kind, we impose neither a sales nor income tax, and we are the only state in the Union with such a record. In addition, we have about two million dollars in our general fund, nine million dollars in other funds, and about fourteen million dollars invested in bonds. As a state, we own 1,700,000 acres of land. We have the most beautiful Capitol in the nation—all these paid for in full.

You as Senators, and I, as Governor, have a heritage to uphold; the reputation of a state to keep. But we have even more. I say to you that Nebraska is in a position to become a governmental model for the other states and for the nation itself. To people beset with doubts and uncertainties, we can give sorely needed reassurance by proving that in Nebraska are legislators and executives who are statesmen, voting for what is right even though it be temporarily unpopular; statesmen who trust the people and who can be trusted by the people. In this we must not fail.

When this war is won—and won it shall be—our nation will have a national debt of more than two hundred, perhaps three hundred billion dollars, blooming in the shadows of an over-stuffed bureaucracy. We will have with us tens of thousands of governmental problem children, the offspring of this bureaucracy, all suckled on red tape and accustomed to giving orders to the people. We will all be tempted by recent habit to look to the government for help with every difficulty that confronts us.

This is not a partisan problem; it is an American problem and it bids fair to become the great American tragedy. We of Nebraska, as Americans, must assist in solving it. The solution will not come easily and it will require foresight and faith, courage and conviction. And the task will be complex because as we cut away the tangled growth of demagoguery, we must be vigilant to preserve the good roots.

We recognize, certainly, that there is important governmental work to be done; that there can be proper planning by public agencies representing the whole people; that society has a responsibility to care for those in real need; that Labor is entitled to fair treatment; that Capital has a right to prosper; that work and industry deserve rewards, but, above all, that in times of peace the individual citizen shall be master of his own destiny.

Under a system of free enterprise, we built here an industrial order which trained the workmen and built the factories which are today saving us and saving the World. In this land of free decision, we have raised the young men who have gone out with courage and faith in their hearts, and with a smile on their lips, to fight the enemy on land and sea, and in the air.

"The American Way of Life" is more than a name, and it must be retained.

So again I ask, what can we—here, this winter—do to make sure Nebraska shoulders her proper share of the current and coming problems?

We must prove that our state, a large unit of government, can be operated in a businesslike, efficient manner; that useless positions need not be created; that appropriations can be wisely made; that Nebraska is fully capable of making progress without making debts. As we keep our standard of government high, we will be living up to our responsibility by setting an example others may wish to follow.

Our people have already shown they know how to do much, with little. Our farms, with scars of drouth fresh upon them, have in one year, through hard work and sacrifice, made an amazing production record. Volunteers have risen by the thousands to aid in necessary civilian defense work and scrap drives. Our industries, battling shortages, have plunged into twenty-four hour operations without a serious misstep. Surely, we need have no fear that our people lack spirit, intelligent enterprise, or competent self-control.

We can best recognize their accomplishments by leaving them unbothered and unhampered by trivial legislation and new schemes. We can take care of present day emergencies, make necessary corrections, pass an appropriations bill, and permit people to go ahead with their work.

That is our immediate duty. Our swift and efficient execution of it can well serve as a bright beacon in a dark sky.

The committees escorted the state officers from the legislative chamber.

The retiring Lieutenant Governor thanked the members for their courtesies during the three sessions at which he had presided, extended best wishes to the Lieutenant Governor, and requested that Lieutenant Governor Roy W. Johnson be escorted to the rostrum. Senator Ray Thomas was recognized and in behalf of the Nebraska State Fair Board presented a gavel to Lieutenant Governor Roy W. Johnson.

President Johnson Presiding.

The President recognized General Guy N. Henninger, marshal of the day, who invited the officers and public to the inaugural reception.

Benediction

The benediction was pronounced by the Reverend Harold C. Gosnell.

Adjournment

At 3:05 p. m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Friday.

The motion prevailed with 42 ayes, no nays, 1 not voting.

Hugo F. Srb
Clerk of the Legislature.

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 8, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Roy W. Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Third Day was approved as corrected.

Communications

A letter was read from Frank Bane, Executive Director of The Council of State Governments, advising that copies of two of its publications were being sent for distribution to the members.

MESSAGE FROM THE GOVERNOR

Collection of Victory Tax

January 7, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have received an opinion of the Attorney General relating to the withholding and collecting of the Victory Tax, imposed by the Federal Revenue Act of 1942. A copy of said opinion is attached.

By reason of the opinion of the Attorney General and the urgent necessity for immediate authority to the proper officers of the state and of its various political subdivisions, I consider it advisable to recommend for your consideration a bill providing the authority for the State of Nebraska and its political subdivisions to withhold, collect and remit to the proper officer of the United States the Victory Tax imposed by the Federal Revenue Act of 1942. Copies of such a bill are transmitted to you herewith.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

Opinion, Attorney General

January 6, 1943

Honorable Dwight Griswold, Governor,
State of Nebraska

Dear Sir:

I have at hand your recent letter asking for an opinion as to the constitutionality of the so-called victory tax, in so far as it applies to employees of the state and as to the authority of the state officials to withhold from the wages of said employees the amount of said tax to be paid to the federal government.

The act imposing the tax specifically includes officers and employees of state and, in my opinion, it is a valid tax which must be paid.

The act further provides that the tax required to be withheld shall be collected by the person having control of the payment of such wages, by deducting such amount from such wages as and when paid. The term "person" as used includes officers of the state or any political subdivision thereof.

I do not believe that congress has the authority to impose such a duty on the officers of the state or any political subdivision thereof without the consent of the state. In view of this situation, for the purpose of co-operating with the federal government in the prosecution of the war and for the protection of the officers of the state and its political subdivisions, it is suggested that the legislature, if it sees fit, pass a bill authorizing the said officers to withhold the victory tax from the wages of the officers and employees of the state and its political subdivisions to be remitted to the federal government.

Respectfully yours,
(Signed) Walter R. Johnson,
Attorney General.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 10, Friday, January 15, 1943, 2:00 p. m.

STANDING COMMITTEE REPORT

Legislative Administration

Mr. Klaver, Chairman, reported orally that his committee had employed the help necessary for the present time; asked that the members report to the committee their choice for further employees; and that they report to the committee regarding their stationery.

MESSAGE FROM THE GOVERNOR

Appointments

January 8, 1943

To the President, the Speaker and
Members of the Legislature.
Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that on January 7, 1943, I made the following appointments:

Mr. Frank Brady, Atkinson
State Tax Commissioner
Mr. Wardner G. Scott, Lincoln
State Engineer, Department of Roads and Irrigation
Mr. C. C. Fraizer, Aurora
Director, Department of Insurance
Mr. Wade R. Martin, Stratton
Director, Department of Banking
Dr. C. A. Selby, North Platte
Director, Department of Health
Mr. O. M. Olsen, Omaha
Commissioner of Labor
Mr. Rufus M. Howard, Flats
Director, Department of Agriculture and Inspection

Mr. Neil C. Vandemoer, Lincoln
Director of Assistance
Mr. Robert T. Malone, Lincoln
Director, Division of Placement and Unemployment
Insurance, Department of Labor.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor

January 8, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed Mr. Golden P. Kratz of Sidney as a member of the Board of Control for a six-year term ending June 30, 1947.

Due to the death of Mr. William A. Bruce, I have appointed Mr. Ralph L. Cox of Arapahoe as a member of the Board of Control to complete the unexpired term ending June 30, 1945.

I have also appointed Mr. C. W. Willey of Coleridge a member of the Board of Control to fill the term ending June 30, 1949.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor

The President referred these appointments to the Committee on Committees.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 55. By Gantz of Box Butte.

A bill for an act relating to the withholding and collection of the victory tax imposed by the Federal Revenue Act of 1942; to provide that any person having control of the payment of wages, as the terms "person" and "wages" are defined in the above mentioned act, to any officer or employee of the State of Nebraska or any political subdivision thereof, is authorized to withhold and collect the victory tax and comply with the provisions of the above mentioned act; and to provide for the prescribing of forms and records necessary to carry out this act; and to declare an emergency.

LEGISLATIVE BILL 56. By Cullingham of Douglas.

A bill for an act to amend sections 55-401 and 55-404, C. S. Supp. 1941, relating to the Nebraska State Guard, providing that the regulations prescribed may cover organization, standards of training and instruction; providing that the material that may be requisitioned or purchased by the Governor from the Secretary of War may include ammunition and clothing, and that the materials shall be purchased or requisitioned under regulations determined by the Secretary of War; and to repeal the original sections.

LEGISLATIVE BILL 57. By Crosby of Lincoln.

A bill for an act to amend section 8-1,124, C. S. Supp., 1941, relating to Banks and Banking; removing the limitation upon the amount of salaries that may be paid to deputies, examiners, assistants, and attorneys, of the Department of Banking; and to repeal said original section.

LEGISLATIVE BILL 58. By Crosby of Lincoln.

A bill for an act to amend section 8-309, C. S. Supp. 1941, relating to the investment of reserve and idle funds of building and loan associations; providing that any such association may invest its reserve funds, or any portion not immediately needed to carry out its functions, in specified securities; and to repeal the original section.

LEGISLATIVE BILL 59. By Greenamyre of Madison.

A bill for an act to amend section 38-519, C. S. Supp., 1941, relating to estates of minors or incompetents of less value than one hundred dollars; to provide that when the amount due any minor or incompetent under any proceeding in any court of record shall be less than one hundred dollars, the county judge may authorize the natural guardian or person who stands in loco parentis to the minor, or if there be none, the county clerk of the county in which the proceeding is pending, to accept and receipt for the amount due; and to repeal the original section.

LEGISLATIVE BILL 60. By Klaver of Douglas.

A bill for an act to amend section 66-411, C. S. Supp., 1941, relating to the creation, distribution, allocation and use of the gasoline highway fund; to provide for a change in allocation within any county where the population of its cities and incorporated villages exceeds its rural population by 100,000 persons or more; enlarging the purposes for which cities and incorporated villages may use their allotment of such fund; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 61. By Mekota of Saline.

A bill for an act to amend section 17-119, Compiled Statutes of Nebraska, 1929, relating to the powers of cities of the second class and villages; providing that before the city council or village board of trustees shall make any contract for any labor, except personal services, or for materials, repairs, work, building, or improvement which exceeds five hundred dollars in cost, an estimate of the cost thereof shall be made by the city or village engineer; and to repeal the original section.

LEGISLATIVE BILL 62. By Mekota of Saline.

A bill for an act to amend section 17-202, Compiled Statutes of Nebraska, 1929, relating to election of members of the village board of trustees; providing for deciding tie vote on election of members of the board of trustees by lot; and to repeal the original section.

LEGISLATIVE BILL 63. By Gantz of Box Butte by request.

A bill for an act relating to crimes and punishments; to define terms; to prohibit possession or use of machine guns except under certain conditions; to regulate the manufacture and registration thereof; to empower the issuance of search warrants as a means of enforcement of this act; to state severability and interpretation clauses; to designate a short title; and to repeal section 28-1011, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL 64. By Gantz of Box Butte by request.

A bill for an act to amend section 32-802, C. S. Supp. 1941, relating to elections; to provide that an elector who appears before the county clerk, as issuing officer, in person, to obtain his ballot and vote it before leaving home, must do so at least two clear days before the election; and to repeal the original section.

LEGISLATIVE BILL 65. By Gantz of Box Butte by request.

A bill for an act relating to carriers; to provide that the issue of bills of lading by any common carrier shall be governed by the provisions of this act; to prescribe the essential terms that are embodied in the forms in bills of lading; to state the obligations and rights of carriers upon their bills of lading; to provide rules and regulations for the negotiation and transfer of bills; to define criminal offenses in connection with the issuance of bills of lading and their incidents; to set forth the interpretation which should be placed upon the provisions of this act; to define penalties for the violation thereof; to state a saving clause and a short title for this act.

LEGISLATIVE BILL 66. By Crosby of Lincoln.

A bill for an act to prohibit the stealing of rubber tires from or intended for use upon motor vehicles, and the buying of such tires knowing the same to have been stolen; providing penalties for first and subsequent offenses; and providing a termination date for this act.

LEGISLATIVE BILL 67. By Crosby of Lincoln.

A bill for an act to amend section 20-523, C. S. Supp. 1941, relating to legal newspapers; providing that the status of a legal newspaper suspending publication during the period while the United States is at war shall not be affected by such suspension, if publication is resumed under conditions prescribed within six months after cessation of hostilities; and to repeal the original section.

LEGISLATIVE BILL 68. By Crosby of Lincoln.

A bill for an act relating to cemeteries; to provide for the creation of cemetery districts and to define their powers and duties; to provide for the assessment and collection of taxes for the support thereof; and to declare an emergency.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move the rules be suspended and that the bills just read be read the second time.

(Signed) Gantz

The motion prevailed with 38 ayes, no nays, 5 not voting.

BILLS ON FIRST READING (Continued)

The following bills were read the first time by title:

LEGISLATIVE BILL 69. By Mueller of Buffalo.

A bill for an act to amend sections 17-441 (1) and 17-515, C. S. Supp., 1941, relating to investment of surplus municipal funds; providing that any surplus in the funds therein specified may be invested in interest bearing bonds or obligations of the United States; and to repeal the original sections.

LEGISLATIVE BILL 70. By Mueller of Buffalo.

A bill for an act to amend section 77-2528, C. S. Supp., 1941, relating to investment of public funds; providing that any county, city, village, school district or any other governmental subdivision which shall have accumulated a surplus in its general fund in excess of its current needs may invest the excess in any securities in which the Board of Commissioners of Educational Lands and Funds is authorized to invest; and to repeal the original section.

LEGISLATIVE BILL 71. By Garber of Webster.

A bill for an act to amend sections 17-127 and 17-440, Compiled Statutes of Nebraska, 1929, relating to powers of cities of the second class and villages in granting franchises and making contracts; providing for a maximum period of 25 years for gas and electric service franchise, to all public service companies, whether publicly or privately owned; providing that contracts for furnishing of electricity for water pumping, street lighting and similar services rendered to a city of the second class or village shall not exceed five years; providing, that no public service company, whether publicly or privately owned, shall sell to any city of the second class or village all or the major portion of its electric requirements unless authorized by a vote of its electors; and to repeal the original sections.

LEGISLATIVE BILL 72. By Garber of Webster.

A bill for an act to amend section 70-604, C. S. Supp., 1941, relating to the sale, lease or transfer of electric light or power plants, distribution systems or transmission lines of municipal corporations and public electric light and power districts; extending the conditions therein made to a sale, lease or transfer to any governmental unit or subdivision of the state; and to repeal the original section.

MOTION—To Suspend Rules and Read Second Time

Mr. President: I move that the rules be suspended and that the bills just read be read the second time.

(Signed) Raecke

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B.	Introducer	Committee Reference
55	Gantz	Government
56	Cullingham	Government
57	Crosby	Banking, Com. & Ins.
58	Crosby	Banking, Com. & Ins.
59	Greenamyre	Judiciary
60	Klaver	Revenue
61	Mekota	Government
62	Mekota	Government
63	Gantz, by request	Judiciary
64	Gantz, by request	Judiciary
65	Gantz, by request	Judiciary
66	Crosby	Judiciary
67	Crosby	Judiciary
68	Crosby	Government
69	Mueller	Government
70	Mueller	Government
71	Garber	Public Works
72	Garber	Public Works

MESSAGE FROM THE GOVERNOR

Republican River Compact

January 8, 1943.

To the President, the Speaker and Members of the Legislature.

Gentlemen:

Pursuant to and as provided by Sections 46-633 to 46-636, inclusive, C. S. Supplement 1939, the Commissioner appointed to represent the State of Nebraska has negotiated with Commissioners from the States of Kansas and Colorado relative to the utilization of the waters of the Republican River and they have fixed and determined the rights of each of said States to the use, benefit, and disposition of the waters of said stream. The negotiations were participated in by Mr. Glenn L. Parker, appointed by the President of the United States as the Representative of the United States of America, in accordance with Congressional enactment authorizing the appointment of a Federal Representative to participate in such negotiations. The Commissioners and the Federal

Representative have agreed upon and signed a compact, herewith transmitted to you for your consideration.

During the 1941 Legislative Sessions, each of the States of Kansas, Colorado, and Nebraska passed legislation ratifying the compact as entered into March 19, 1941, and subsequent legislation was enacted by the Congress of the United States, ratifying the compact as entered into by the three signatory states. This Congressional Act was vetoed by the President of the United States because of certain provisions contained in the compact that were not satisfactory to the Federal Government. As a result of this veto, there was introduced in Congress, and passed by Congress, a bill authorizing the appointment of a Federal Representative as heretofore mentioned. Inasmuch as the negotiations leading to the formulation of the present compact have been participated in by the Federal Representative, it is not anticipated that there will be serious objection raised by any Federal Department to the passage of the necessary ratifying legislation by the Congress of the United States. The compact, as submitted to you, contains the identical allocations of water that were contained in L. B. 429 of the 1941 Session of the Legislature. The only change has been in certain language of the compact relative to the rights of the United States in the use and control of the waters of the Basin.

I suggest that a bill be introduced approving and ratifying this compact, as provided by the Constitution of the United States, the State of Nebraska and the laws thereto.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor of Nebraska

Mr. Carmody moved that the Clerk dispense with printing the Compact in the Legislative Journal.

Mr. Mischke moved to amend Mr. Carmody's motion by adding that a mimeographed copy of the Compact be placed on the desks of the members.

The motion as amended prevailed.

NOTICE OF HEARING

Committee on Committees

Appointments by Governor Griswold, mentioned in this day's Journal, Friday, January 15, 1943 at 1:00 p. m.

Member Excused

Mr. Burnham was excused until Wednesday morning, January 13, 1943.

Adjournment

At 12:23 p. m. Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday.

The motion prevailed with 41 ayes, no nays, 2 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska.
Monday, January 11, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, except Mr. Burnham who was excused.

The Journal for the Fourth Day was approved.

Communications

Rules of Civil Procedure

January 9, 1943

Hon. Robert B. Crosby
Speaker of the Legislature
Senate Chamber
Lincoln, Nebraska

Dear Sir:

In an order entered by the Supreme Court on April 20, 1942, certain Rules of Practice and Procedure for the courts of Nebraska were adopted and promulgated and the court has directed that I report the same to the Legislature. A bound copy entitled "Nebraska Rules of Civil Procedure" is, therefore, transmitted herewith. At page IX of this volume will be found a copy of an order of the court which recites in detail the procedure followed by the court in the preparation and final adoption of these rules.

As a service to the bar as well as to the general public a law publisher has printed pamphlet copies containing the same material as the volume which is now delivered to you and the clerk of this court will make them available to members of the Legislature in whatever manner you feel will best accomplish the purpose of informing members of your body as to the scope and contents of the rules.

Yours truly,
(Signed) Robt. G. Simmons
Chief Justice.

Mr. Crosby asked that the letter be printed in the Journal.

STANDING COMMITTEE REPORTS

Enrollment and Review

Mr. President: The Committee on Enrollment and Review has organized and selected H. E. Bowman as vice chairman and Clarence M. Davis of Ord, Nebraska, as attorney.

(Signed) J. H. Anderson, Chairman

Judiciary

Mr. President: Your committee reports that it has organized and elected Earl J. Lee vice chairman.

(Signed) Gantz, Chairman

Appropriations

L. B. 51. Placed on General File.

L. B. 52. Placed on General File.

(Signed) Greenamyre, Chairman

MOTION—Attorney for Enrollment and Review

Mr. President: I move that the selection and employment of Clarence M. Davis, as attorney for the Committee on Enrollment and Review, be confirmed by the Legislature.

(Signed) Anderson, James H. Chairman

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 73. By Mueller of Buffalo.

A bill for an act relating to manufacturing of synthetic rubber using exclusively products grown on the farms of Nebraska; to provide state aid upon the construction of plants for the manufacture thereof; and to declare an emergency.

LEGISLATIVE BILL 74. By Asimus of Holt.

A bill for an act to amend section 37-406, C. S. Supp., 1941, relating to game and fish; to provide for the passage of water over or through dams or other obstructions in order to preserve fish life; to repeal the original section; and to provide a penalty.

LEGISLATIVE BILL 75. By Greenamyre of Madison.

A bill for an act to amend section 55-140, C. S. Supp., 1941, relating to the militia; to remove the exception that the Adjutant General shall hold his office until he has reached the age of seventy years, and make the retirement age the same as other staff officers; and to repeal the original section.

LEGISLATIVE BILL 76. By Hubka of Gage.

A bill for an act to amend sections 16-723 and 17-582, Compiled Statutes of Nebraska, 1929, relating to claims against cities of the first class, cities of the second class and villages; providing that the requirement for filing of notice in writing of the accident or injury within thirty days after the occurrence thereof shall apply when the city or village is acting in a proprietary as well as a governmental capacity; and to repeal the original section.

LEGISLATIVE BILL 77. By Crosby of Lincoln.

A bill for an act to amend section 60-307, C. S. Supp. 1941, relating to registration of motor vehicles; providing that trucks and trailers of farmers or ranchers used principally to carry supplies to the owner's farm or ranch, or used principally to carry their own products to storage or market shall carry on license plates the letter F; and to repeal the original section.

MESSAGE FROM THE GOVERNOR

Appointments

January 8, 1943

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that in accordance with Section I, Article IV of the Constitution of Nebraska, I appointed, on April 2, 1942, Mr. John F. Mericle of Omaha to serve as a member of the State Liquor Control Commission for the period during which Jackson B. Chase shall serve in the United States Army, as provided by Section 32-1701, C. S. Supplement 1941.

I also have re-appointed Mr. Theo M. Osterman a member of the State Liquor Control Commission for the six-year term expiring May 25, 1949.

Respectfully submitted,
(Signed) Dwight Griswold
Governor of Nebraska

MESSAGE FROM THE GOVERNOR

Appointments

January 9, 1943

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

In accordance with Section I, Article IV of the Constitution of Nebraska, I am submitting for your information and consideration the following appointments:

Mr. Alvin Johnson, Omaha, and Mr. E. D. Crites, Chadron, as members of the Board of Education of State Normal Schools. Both terms expire January 1, 1949.

Mr. Clyde Sharrar, Omaha, and Mr. Harold Jessen, Ainsworth, as members of the State Aeronautics Commission. Both terms expire

January 1, 1946. Mr. Harold P. Sutton, McCook, as a member of the State Aeronautics Commission for the period during which Dr. Kingsley shall serve in the United States Army, as provided by Section 32-1701, C. S. Supplement 1941.

Mr. J. B. Rossiter, Walthill, a member of the State Racing Commission for the term ending March 30, 1944, and Mr. Elmer Kay, McCook, for the term ending March 30, 1945.

Mr. Arthur C. Storz, Omaha, as a member of the Game, Forestation and Parks Commission for the term expiring January 15, 1947, and Mr. Ralph M. Kryger, Neligh, for the term expiring January 15, 1948.

Mr. Harvey L. Webster, Tekamah, as a member of the Nebraska Public Library Commission for the term expiring June 8, 1946, and Mrs. Ruby Northup, Omaha, for the term expiring June 8, 1947.

Respectfully submitted,
(Signed) Dwight Griswold
Governor of Nebraska

MOTION—Seats in Legislative Chamber

Mr. President: I move that the row of seats directly behind the senate seats be removed.

(Signed) Neubauer

The motion was lost.

MOTION—Compensation of Attorney

Mr. President: I move that the compensation to be paid the attorney for the Committee on Enrollment and Review be set at the sum of $375.00 per month.

(Signed) Anderson, James H.

The motion prevailed.

MOTION—To Amend Rules

Mr. President: I move that the rules be amended by striking therefrom Sections 8 and 9 of Rule 12 and inserting in lieu thereof the following:

"Sec. 8. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member, and the bill and all amendments thereto shall be printed and read at large before the vote is taken upon its final passage."

That the rules be amended by striking subdivision k. of Sec. 2 of Rule 8, and by inserting in lieu thereof the following:

"k. Reference of bills to committees on a day subsequent to first reading."

(Signed) Doyle

Referred to Committee on Rules.

STANDING COMMITTEE REPORT

Legislative Administration.

Mr. President: Your committee begs to report that Senator Tom C. Osborne has been selected as vice chairman of Committee on Legislative Administration.

(Signed) Klaver, Chairman

GENERAL FILE

LEGISLATIVE BILL 51. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 52. Read and considered.

Referred to E and R for review.

MOTION—Bill Drafter

Mr. President: I move that the officers and employees of the Legislative Council, as reported to the Legislature on January 7, 1943, be confirmed.

(Signed) Matzke

The motion prevailed.

On request by Mr. Greenamyre, unanimous consent was granted to fix the time for hearing the Governor's Budget Message at 11:00 a.m. Tuesday, January 12, 1943.

Adjournment

At 11:21 a.m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Tuesday.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 12, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Burnham, who was excused.

The Journal for the Fifth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 5, Wednesday, January 20, 1943, 2:00 p.m.

L. B. 8, Wednesday, January 20, 1943, 2:00 p.m.

L. B. 9, Wednesday, January 20, 1943, 2:00 p.m.

L. B. 30, Wednesday, January 20, 1943, 2:00 p.m.

L. B. 6, Friday, January 22, 1943, 2:00 p.m.

L. B. 31, Friday, January 22, 1943, 2:00 p.m.

L. B. 32, Friday, January 22, 1943, 2:00 p.m.

Education

L. B. 28, Monday, January 18, 1943, 2:00 p.m.
L. B. 24, Monday, January 18, 1943, 2:00 p.m.

Judiciary

L. B. 42, Monday, January 18, 2:00 p.m.

L. B. 46, Monday, January 18, 2:00 p.m.

L. B. 49, Wednesday, January 20, 2:00 p.m.

L. B. 50, Wednesday, January 20, 2:00 p.m.

L. B. 59, Monday, January 18, 2:00 p.m.

L. B. 63, Monday, January 18, 2:00 p.m.

L. B. 64, Wednesday, January 20, 2:00 p.m.

L. B. 65, Wednesday, January 20, 2:00 p.m.

L. B. 66, Friday, January 22, 2:00 p.m.

L. B. 67, Friday, January 22, 2:00 p.m.

STANDING COMMITTEE REPORTS

Education

Report of organization of the Committee on Education held January 11, 1943 at 11:00 a.m.

Chairman: Stanley A. Matzke
Vice Chairman: Cliff N. Ogden
Clerk: Patricia Anstine

(Signed) Matzke, Chairman

Rules

January 11, 1943, a meeting of the Rules Committee was held in the Legislative Lounge with all members present. Senator Doyle's proposed change in Sections 8 and 9 in Rule 12, also Rule 8 Subsection k in Section 2 was discussed at length. The committee went on record as being opposed to the change.

(Signed) Sorrell, Chairman

Mr. Sorrell moved to adopt the report.

After discussion Mr. Mueller moved the previous question.

The President put the question "Shall the debate cease?"

Mr. Doyle asked unanimous consent to talk two minutes.

No objection was offered.

The President restated the question "Shall the debate cease?"

The motion prevailed with 39 ayes, no nays, 4 not voting.

Mr. Sorrell's motion to adopt the report of the committee was restated.

The motion prevailed with 19 ayes, 16 nays, 8 not voting.

MOTION—To Escort Governor

Mr. President: I move that a committee of five be appointed to escort the Governor to the legislative chamber.

(Signed) Greenamyre

The motion prevailed and the President appointed the following members to serve on said committee:

Greenamyre, Chairman

Crosby	Mueller	Hanna	Peterson

The committee retired and subsequently returned with the Governor, who delivered the following:

BUDGET MESSAGE OF GOVERNOR DWIGHT GRISWOLD

Delivered to the Fifty-sixth Session of the Legislature of Nebraska, January 12, 1943

Mr. President, Mr. Speaker, Members of the Senate:

With our economic and social standards influenced by the tide of the war, planning for the wise appropriation of funds for proper functions of state government is difficult. I have found it so in the preparation of my budget recommendations and I am sure you will find it so as you proceed with the task of setting up the appropriations.

Even after making allowances to permit comparison of our present scope of government with the limited state functions of 25 years ago, the job is more difficult than it was during World War I. It is more complicated now, because that conflict did not so directly or continually affect the private lives of our citizens, the operations of our businesses, industries and farms, nor the activities of our local and state governments as does the present world struggle. Despite these complexities, however, I am confident that with care, we can appropriate wisely.

During the summer and fall of 1942, Tax Commissioner Brady visited all of the State institutions except the Prison Farm at Genoa, the Girls' Industrial School at Geneva and the Women's Reformatory at York. He will be available to discuss with you the conditions of the state's physical plants.

The Budget submitted herewith largely speaks for itself, but there are several items and specific problems, to which I wish to direct particular attention.

Personnel Problems

Like other employers, the State of Nebraska has had personnel problems during the past two years. It is a common and candid observation that the state has never paid high wages. As the general need for competent workers has increased, the state, as an employer, has felt the effect of competition willing, and able, to pay more.

To offset this loss in personnel, it has been necessary to allow increases in salaries to many people working for the state but even as we have handled the problem, there has been entirely too great an employee turnover.

In a great many departments the number of employees has declined due to a decrease in their activities. I cite the record of the Department of Roads and Irrigation as a strong example. During the period beginning February 1, 1942, and ending November 1, 1942, the number of regular employees of this department declined from 876 to 688. The total payroll dropped from $120,000 to $99,000 even though some individual salaries were increased during the period.

There is reason to anticipate a continuation of this trend in many departments during the next two years, and we must plan accordingly.

I assure you that we are not keeping anyone on the state payroll merely that they may draw a salary, and I do not know of a single person working for the State of Nebraska who is not doing a full day's work for the salary drawn. We are hoping, of course, that before a year has passed, this nation will again be at peace. It does not appear possible, at this time, however, and we must make our plans accordingly.

No Construction

It appears that no construction will be possible until the war is over. A letter from Donald M. Nelson, Chairman of the War Production Board, dated Dec. 31, 1942, explains the necessity of using all possible manpower and construction material in the war effort. I quote the following from this letter:

"I am, therefore, asking you as well as the Governors of the other states to use your influence with the Legislature of your state and with the county and city governments within it, to restrain as far as it can possibly be done, any new construction during the year, 1943."

I feel that it is our solemn duty to cooperate in such a program. No construction of any kind is provided for in this budget except the very necessary repair of one roof at a cost of $3,700. Our state buildings are otherwise in sufficient repair to operate efficiently for another two years without additional construction. We are fortunate that work done during recent years makes this possible.

Old Age Assistance

A year ago, when rationing of tires and automobiles was inaugurated, it appeared that reduced highway travel and the resulting decrease in gasoline tax revenue feeding the State Assistance program, would necessitate a special session of the Legislature.

As the months passed, however, three factors figured prominently in adjusting this pending difficulty without legislative action:

First, instead of tobogganing to a fearful level, in 1942 income from the state's five-cent gasoline tax dropped only $520,000 below the all-time record collection established in 1941. Since one out of every five cents collected goes for assistance, this decrease meant assistance income from state gasoline tax was reduced only $104,000.

Second, income from liquor taxes increased sharply, offsetting the amount the assistance program lost in gasoline tax revenue. A great deal of the liquor tax increase, however, resulted from a bookkeeping change in the law made by the 1941 Legislature, and from advance buying stimulated by an increase in the Federal liquor tax but even so it is reasonable to assume liquor tax revenue will remain approximately at its present level during 1943.

Third, improved administration and better Nebraska economic conditions brought a decline in the number of assistance recipients.

The following figures will show the change which has taken place on these rolls during the past three years.

Old Age Assistance

December, 1939	27,256
December, 1940	28,506
December, 1941	29,643
December, 1942	28,450

Aid to Dependent Children

December, 1939	11,688
December, 1940	12,618
December, 1941	12,789
December, 1942	10,300

It will be noted that during the past year there has been a real decline and this has permitted a larger average payment to partially meet the increased cost of living, and still maintained a cash balance. This balance on January 1 was $1,054,000, state funds eligible for matching with federal funds on an approximate dollar for dollar basis.

With prudent use of this balance, it is my belief that present revenue sources are sufficient to meet the needs during 1943. Our experience with gasoline and liquor revenues during the past year proves their range cannot be accurately forecast. The best course, it seems to me, is to continue as in the past until change becomes necessary. That time may arrive next winter, and if so, it can be met by a special legislative session. Certainly, it would not be sensible for this Legislature to remain in session, merely waiting for time to reveal the exact need.

For several years, the state assistance expenditures have been approximately ten million dollars, half of which is furnished by the state and half by the federal government.

It is expected that during the calendar year, 1943, the state's share will come from the following sources, without any change in the law:

Unexpended balance, Jan. 1	$1,000,000
Liquor tax	1,600,000
Head tax	800,000
Gasoline tax	1,600,000
TOTAL	$5,000,000

We thus have adequate, matchable state funds in sight to assure continued operation of the assistance program for about a year and I give you my pledge that if these funds dwindle, I will call you in ample time for action.

State Institutions

Only through good planning and close cooperation has the State Board of Control been able to avert disrupted operations. Food costs have shot upward and wages have increased. Meanwhile, the Board has shouldered the responsibility of bringing improved treatments and methods to our mentally and physically handicapped.

You will be interested to know that the Kenny method for treating infantile paralysis is being installed at the State Orthopedic Hospital. In the mental hospitals, new treatments are being adopted as quickly as they are proved worthy.

I am recommending a considerably increased sum be placed at the disposal of the Board during the coming biennium. My hope is the Board will not find it necessary to use all of this amount, but I feel Nebraska has reason to be proud of its institutions and that the humane care they afford should not be jeopardized.

I am asking that the Nebraska Industrial Home at Milford be abolished. Its services can be rendered with little additional expense by the University Hospital in Omaha and the physical properties at Milford left available for other public use.

Two years ago, $240,000 was appropriated for the addition of a new building at the Norfolk State Hospital. This construction was forestalled by the war and I am recommending that the $240,000 be made available to the maintenance account of the Board. I feel, however, there is a moral obligation on the part of future legislatures to provide for this building at the first opportunity.

University and Normal Schools

Pending the outcome of current conferences between University of Nebraska and Federal authorities on possible use of the University in the war training program, I am recommending an appropriation from property tax funds identical with that allowed two years ago. I trust that before your deliberations are completed, these conferences will have cleared the way for a determination of the University's needs and that full information can be submitted to you.

I am recommending an increase for the College of Medicine and the University Hospital of about $70,000. The College is now operating on a twelve instead of a nine months' basis, enabling medical students to complete the former four-year course in three years.

So that grain improvement work and research can be carried out, I am recommending an increase of $10,000 for the Agricultural college. In the past, this work has been financed privately through the Nebraska Grain Improvement Association, but since it involves a cooperative testing program to adapt various crops to different soil types in Nebraska, I feel it is a function in which the College should take the lead.

Our four state normal colleges are in a position similar to that of the University in that it is difficult to foretell the effect that war will have upon them. Their enrollment is down radically from what it was two years ago. It seems likely that they will be forced to consolidate courses, release some instructors and prepare generally for further inroads of the war.

In the light of the uncertain immediate future I am recommending that their budget remain on the same basis as was set up two years ago. This recommendation contemplates increases in the salaries but a reduction in the number of instructors.

The appropriation for the state normal college at Wayne deserves special attention. Through years of careful planning, the school has accumulated a cash fund of more than $40,000, a balance far greater than held by the other three colleges. I understand that Wayne authorities accumulated this balance hoping to build an athletic stadium.

At this particular time such construction is out of the question and my budget calls for a reduction of about $40,000 in the property tax appropriation for the school at Wayne, and the appropriation of the accumulated cash fund balance in exchange. To be fair to the Wayne College, however, the State should appropriate the funds necessary for the stadium when such construction work again becomes possible.

In considering the Wayne situation, it must be remembered that so-called "Cash Funds" are the property of the State, just as are "Tax Funds" and that they accumulate usually because "Tax Fund" appropriations are larger than necessary.

The State Fair

My budget is submitted on the assumption there will be no State Fair held during the coming biennium. The fair management presented the 1942 fair as the last for the duration and it seems most unlikely that a State Fair would be patronized in 1943 or in 1944.

Highway Funds

I do not favor the diversion of any more of the gasoline tax now used for highway purposes. We have an accumulation of about $2,000,000 resulting primarily from the stoppage of practically all new construction. It is doubtful if this balance will increase greatly in the future as maintenance will consume most of the income.

This accumulated sum, and more too, will be needed when highway traffic is again fully resumed and construction work is started. Certainly, it should not be diverted from its intended purpose.

Emergency Fund

Considering present conditions, it probably will be advisable for you to appropriate a fund for special emergencies which may arise. It was such an appropriation two years ago that enabled us to carry on the work of the defense organization and save the trouble and expense of a special legislative session.

Since the expenditure of such an emergency fund probably would be placed under my direction, I feel that the decision as to its creation and the amount properly rests with the legislative rather than with the executive branch.

The Permanent School Fund

Already before you is a report from the Board of Educational Lands and Funds enclosing a copy of the audit of the permanent school fund as made by the State Auditor. This audit shows that between 1870 and 1939 there was created in the permanent school fund a deficiency of about $685,000.

Of this total, $181,000 is really a bookkeeping shortage. This amount of money was received by the state as rent on certain saline lands transferred to the state by the Federal government.

Under the law, these rentals should have been credited to the permanent school fund but since 1893, through error, they have been placed in the temporary school fund and remitted to the school districts of the state.

In other words, the school districts over a period of years have received for direct expenditure $181,000 which should have gone to the permanent school fund to be invested for their benefit.

I recommend that you provide that the income from these saline lands go into the temporary school fund, and that you legalize what has already transpired.

With this change, the deficit in the permanent school fund would be reduced to about $503,000. More than half of this was caused by a dishonest State Treasurer about 50 years ago. Another shortage of $150,000 was caused by an illegal act of the Legislature in 1873. Nevertheless, the deficiency exists.

I would like to offer this solution. The state now holds many bonds, the income from which is tax free so far as federal income tax is concerned. Since the state pays no income tax in any case, this "tax-free" condition is of no advantage.

I recommend that you give the Board of Educational Lands and Funds authority to sell these tax-free bonds, buying in their place United States government bonds, the income from which would be taxable if held by individuals. By making this shift, the fund will show what might be termed a profit, perhaps equal to the deficiency.

The General Fund

Two years ago a deficit existed in the General Fund of the State and in order to remove it, the appropriations bill provided that certain cash balances be lapsed into the General Fund. These totaled several hundred thousand dollars, and this procedure, together with the payment of delinquent taxes due to better economic conditions, has changed the situation so that the General Fund now has a balance of about $2,000,000.

I am therefore suggesting in the appropriations bill that the large and unnecessary balances in some of our cash funds be appropriated to the General Fund to be considered as "Unappropriated Miscellaneous Receipts and Fees" in accordance with the terms of Section 77-1007. This is the section which provides the manner in which the state tax levy shall be made, and the use of these cash balances in this manner will reduce the 1943 levy.

We can appropriate these cash balances for specific purposes, but I feel that it is better bookkeeping to lapse the balances into the General Fund and then appropriate from it.

Constitutional Amendment

I am proposing for submission to the people of Nebraska a prospective change in our constitution which will permit the Governor to veto items or parts of items of an appropriations bill.

The amendment would still leave to the Legislature its authority to pass such items over a Governor's veto by a three-fifths majority vote but would require separate votes on each controversial item.

Under the present uncertain constitutional provision, it appears that a Governor can veto items which he himself has submitted in his budget, but he cannot veto additions the Legislature made by a three-fifths vote.

This condition could lead to serious logrolling. Without an amendment such as I propose, the way is open for twenty-six men—four more than a simple majority—to authorize excessive expenditures even if their agreement exists for only one ballot. While it is true no such situation has developed, nor is it likely to develop at this session, the fact remains that the loophole is there and should be corrected, to forestall some serious difficulty in the future.

As I stated at the outset of this message, the preparation of this budget has been a difficult task because of the uncertainties of present conditions. Certainly no one can see very far ahead. All we can do is to make our decisions on the basis of information now available.

It is my best judgment that a war economy will prevail in our nation for two more years and I have drawn my budget recommendations accordingly.

I assure you that whatever responsibility you leave with me will be used to the best of my ability in the interest of good government here in Nebraska and in support of our nation's war effort. To you I pledge my utmost co-operation; from you I expect good counsel.

As required by Section 81-313, Compiled Statutes of Nebraska, 1929, I am submitting bills for appropriations as recommended in this budget.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

MESSAGE FROM GOVERNOR

Appointment

January 11, 1943

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

As Chairman of the Board of Educational Lands and Funds, I desire to inform your honorable body that, in accordance with Section 72-201, C. S. Supplement 1941, the Board has this day nominated for the position as Secretary, Mr. Henry H. Bartling of Nebraska City. In accordance with the provisions of said section the salary will not exceed $3,000.00 per annum.

Respectfully submitted,

(Signed) Dwight Griswold,
Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 78. By Greenamyre of Madison.

A bill for an act to amend section 37-509, Compiled Statutes of Nebraska, 1929, relating to fish; to provide that fish shall not be taken or used by the Game, Forestation and Parks Commission for stocking of a private lake where a charge is made for fishing therein; to provide that a nominal charge made by the owner of a private lake for trespass to and from the lake, or the use of cabins, camping ground or park shall not be considered a charge for fishing; and to repeal the original section.

LEGISLATIVE BILL 79. By James H. Anderson of Scotts Bluff.

A bill for an act relating to county clerks, their deputies and employees; to provide that it shall be unlawful for any county clerk, or any deputy or employee in his office, to serve as a notary public while holding such office or employment; to provide that all acknowledgments taken by a county clerk, or any of his deputies, must be administered in their official capacity, and all fees reported and paid to the county; and to declare an emergency.

LEGISLATIVE BILL 80. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 26-906, Compiled Statutes of Nebraska, 1929, relating to employment of prosecuting attorney in a civil action; to provide that a prosecuting attorney shall not be an attorney or counsel for either party, other than the state or county, in a civil action depending upon the same state of facts investigated by him while acting as county coroner; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 81. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 38-101, Compiled Statutes of

Nebraska, 1929, relating to minors; to provide that in case of the marriage of a minor, his or her minority ends; to eliminate obsolete provision; and to repeal the original section.

LEGISLATIVE BILL 82. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 20-1601 and 22-903, C. S. Supp., 1941, and 21-903, Compiled Statutes of Nebraska, 1929, relating to jurors; to remove the requirement that jurors shall be men; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 83. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 27-505, Compiled Statutes of Nebraska, 1929, relating to terms of county court; to provide that the regular term of the county court shall commence on the first Monday of each calendar month and shall be open until the first Monday of the succeeding calendar month, when the next regular term shall begin; and to repeal the original section.

LEGISLATIVE BILL 84. By Thompson of Nance.

A bill for an act to amend subsection 7, of section 79-104, C. S. Supp., 1941, relating to school districts; providing for detaching of territory of school district when a stream of water makes it necessary to a child or children to travel more than five miles to attend school in their own district and any adjoining district in his own county, and attaching such territory to a school district in an adjoining county where travel would be less than in their own district; prescribing the procedure therefor; providing the manner of levy and collection of taxes for school purposes on such territory; and to repeal the original subsection.

LEGISLATIVE BILL 85. By Raecke of Merrick and Greenamyre of Madison.

A bill for an act to amend section 72-502, Compiled Statutes of Nebraska, 1929, relating to rentals from saline lands; providing that the rentals from saline lands accruing to the State of Nebraska shall be placed in the temporary instead of the permanent school fund; validating the use made by the Board of Educational Lands and Funds of rentals received from saline lands, in placing same in the temporary instead of the permanent school fund; and to repeal the original section.

LEGISLATIVE BILL 86. By Neubauer of Harlan, Carmody of Hitchcock, and Garber of Webster.

A bill for an act to ratify the compact entered into by the states of Colorado, Kansas and Nebraska on December 31, 1942, relating to the Republican River; to repeal Chapter 92, Laws of Nebraska for 1941; and to declare an emergency.

LEGISLATIVE BILL 87. By Lee of Dodge.

A bill for an act to amend section 77-1608, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that precinct assessors shall be paid monthly during the progress of their work eighty per cent of the compensation earned; and to repeal the original section.

LEGISLATIVE BILL 88. By Raecke of Merrick and Crossland of Wayne.

A bill for an act relating to revenue to levy an excise tax upon oils severed from the soil of the State of Nebraska; to establish the rates thereof; to provide for the allocation and distribution of said tax moneys; to establish procedure for the collection thereof; to define terms; to provide penalties; and to provide a validity clause.

LEGISLATIVE BILL 89. By Mekota of Saline.

A bill for an act to amend section 77-307, C. S. Supp., 1941, relating to Revenue and Taxation; to prescribe procedure for filing claims against estates of deceased persons for the year or years that payment of taxes was avoided by them; to provide that property found not to have been assessed for taxation during three years prior to the year the deceased died shall be taxed at the same rate as it would have been taxed had it been returned for taxation, plus interest at seven per cent per annum, and a penalty of ten per cent on tangible property omitted and fifty per cent on intangible property omitted; and to repeal the original section.

LEGISLATIVE BILL 90. By Rakow of Antelope.

A bill for an act to amend section 54-152, C. S. Supp., 1941, relating to brand inspection; to provide that the brand inspection area shall cover the entire State of Nebraska; and to repeal the original section.

LEGISLATIVE BILL 91. By Rakow of Antelope and Thompson of Nance.

A bill for an act relating to school districts in all cities and villages;

to provide for the publication in a legal newspaper of an estimate of proposed expenditures at the beginning of each school year, and again at the end of the school year together with a summary of the expenditures that have been made.

LEGISLATIVE BILL 92. By Rakow of Antelope and Thompson of Nance.

A bill for an act defining the crime of larceny of any article or commodity of any value that is rationed under the laws of the United States; and to provide a penalty for violation thereof.

LEGISLATIVE BILL 93. By Rakow of Antelope.

A bill for an act to repeal section 77-1927, Compiled Statutes of Nebraska, 1929, relating to cancellation of delinquent personal taxes prior to 1910 by payment of principal without interest.

LEGISLATIVE BILL 94. By Matzke of Seward.

A bill for an act to provide procedure for all actions to quiet title to real estate, and to repeal Article 4, Chapter 76, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL 95. By Appropriations Committee, by Greenamyre of Madison.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June 30, 1945; to prescribe conditions for payment thereof; and to declare an emergency.

LEGISLATIVE BILL 96. By Appropriations Committee, by Greenamyre of Madison.

A bill for an act making appropriations for the state government of the state of Nebraska for the biennium beginning July 1, 1943, and ending June 30, 1945; prescribing conditions for the determination of the levy of the state taxes for the state general fund; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

LEGISLATIVE BILL 97. By Matzke of Seward.

A bill for an act to amend section 72-229, Compiled Statutes of

Nebraska, 1929, relating to sale and reinvestment of bonds held by the State of Nebraska; to provide for the sale of bonds belonging to the permanent school fund and the immediate reinvestment of the entire proceeds of sale in bonds or securities of the United States government; to provide that the transaction shall be deemed an exchange of securities; and to repeal the original section.

LEGISLATIVE BILL 98. By Matzke of Seward.

A bill for an act to amend section 3-201, C. S. Supp. 1941, relating to the Nebraska Aeronautics Commission; eliminating the requirements that the secretary of the commission be a federal licensed transport pilot, a federal licensed radio-telephone operator, and be otherwise skilled in aeronautics and competent in engine and airplane mechanics; and to repeal the original section.

LEGISLATIVE BILL 99. By Doyle of Greeley.

A bill for an act to amend section 2-101, C. S. Supp., 1941, relating to the state fair; to provide that the holding of the state fair in any one year shall be optional with the State Board of Agriculture; and to repeal the original section.

MOTION—To Suspend Rules and Read Second Time

Mr. Chairman: I move that the rules be suspended and that all legislative bills read the first time this morning be read the second time, and that the Legislature be at ease until they have been assigned to committees.

(Signed) Greenamyre

The motion prevailed with 35 ayes, 1 nay, 7 not voting.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B.	Introducer	Committee Reference
73	Mueller	Agriculture
74	Asimus	Agriculture
75	Greenamyre	Public Health & Mis. Subs.

76	Hubka	Judiciary
77	Crosby	Public Works
78	Greenamyre	Agriculture
79	Anderson, James H.	Government
80	Anderson, James H.	Judiciary
81	Anderson, James H.	Labor & Public Welfare
82	Anderson, James H.	Judiciary
83	Anderson, James H.	Judiciary
84	Thompson	Education
85	Raecke, Greenamyre	Education
86	Neubauer, et al	Public Works
87	Lee	Government
88	Raecke, Crossland	Revenue
89	Mekota	Revenue
90	Rakow	Agriculture
91	Rakow, Thompson	Education
92	Rakow, Thompson	Judiciary
93	Rakow	Revenue
94	Matzke	Judiciary
95	Appropriations Committee By Greenamyre, Chairman	Appropriations
96	Appropriations Committee By Greenamyre, Chairman	Appropriations
97	Matzke	Education
98	Matzke	Government
99	Doyle	Agriculture

STANDING COMMITTEE REPORTS

Government

Mr. President: Your Committee on Government has selected Tom C. Osborne as Vice Chairman.

(Signed) Doyle, Chairman

Agriculture

Mr. President: The Committee on Agriculture has met and selected

Arthur Carmody, Vice Chairman

Louis M. Jeppesen, Secretary

Lorraine Schwenk, Clerk

(Signed) Neubauer, Chairman

SELECT COMMITTEE REPORTS

Legislative Council

Mr. President: The name of the following employee of the Nebraska Legislative Council is herewith submitted for confirmation:

Wilson, J. J., Assistant Bill Drafter

Mr. Wilson is to be employed during the rush period at the rate of $25.00 per day, and is to serve in place of Mr. Charles F. Bongardt, previously confirmed.

(Signed) Matzke, Chairman
Nebraska Legislative Council

Mr. Matzke moved that the appointment of Mr. Wilson be confirmed by the Legislature.

The motion prevailed with 38 ayes, no nays, 5 not voting.

Adjournment

At 12:50 p.m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Wednesday.

The motion prevailed with 38 ayes, no nays, 5 not voting.

Hugo F. Srb
Clerk of the Legislature.

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 13, 1943.

The Legislature met at 10:20 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Burnham and Mr. Rakow who were excused.

The Journal for the Sixth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 44, Thursday, January 21, 1943, 2:00 p. m.

L. B. 45, Thursday, January 21, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 3. Placed on General File with amendments.

Standing Committee amendments to L. B. 3:

1. Amend lines 9 and 10 of the title by striking the word "and" in the 9th line, inserting a semi-colon in place of the period after the word "section" in the 10th line, and adding the following: "and to declare an emergency."

2. Add a new Section 3 as follows: "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 4. Placed on General File with amendments.

Standing Committee amendments to L. B. 4:

1. In line 11 of Section 1 of the bill, after the word "channels" add the following: "and for construction of levees and flood gates as parts of the same projects."

2. In line 17 of Section 1, after the word "channels" add the following: "and for construction of levees and flood gates as parts of the same projects."

3. Add new Section 3 as follows: "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the seventh line of the title after the word "channels" by adding a comma and the following: "and for construction of levees and flood gates as parts of the same projects."

5. Amend the tenth and eleventh lines of the title by striking the word "and" in the tenth line; by striking the period and inserting a semi-colon in the eleventh line; and adding after the semi-colon inserted, the words "and to declare an emergency."

(Signed) Raecke, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 34. Placed on General File.

LEGISLATIVE BILL 26. Placed on General File with amendments.

Standing Committee amendments to L. B. 26:

1. Add to the title after the semi-colon in line seven, the following: "to declare an emergency;".

2. Add a new Section 3 as follows: "Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

(Signed) Peterson, Chairman

Enrollment and Review

LEGISLATIVE BILL 51. Placed on Select File.

LEGISLATIVE BILL 52. Placed on Select File.

(Signed) James H. Anderson, Chairman

Revenue

Mr. President: The Committee on Revenue has selected Jo. Lacy Fisher as clerk.

(Signed) Raecke, Chairman

Unanimous Consent to Re-refer

Upon request by Mr. Raecke unanimous consent was granted to re-refer L. B. 54 from Committee on Revenue to Committee on Government.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1. Respecting Members in Military Service.

Introduced by Robert B. Crosby of Lincoln

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA

IN FIFTY-SIXTH SESSION ASSEMBLED:

(1) That this Legislature recognize and honor the following members of the Fifty-Fifth session of the Nebraska Legislature, who, during their terms, entered the military service of the United States:

Amos Thomas
Richard N. Johnson
William A. Metzger
George T. Sullivan
Jack W. Price
Lieutenant Governor William E. Johnson

(2) That a copy of this resolution, properly authenticated and suitably engrossed, be forthwith prepared by the Clerk of the Legislature, who is further directed to forward the former to the members above set forth.

Unanimous consent was granted to consider the resolution at once.

Mr. Crosby moved that the resolution be adopted.

The motion prevailed.

Mr. Lee requested unanimous consent to mail a copy of the resolution to Mrs. Johnson of Fremont, mother of Richard N. Johnson.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 100. By Bowman of Adams, Sorrell of Otoe and Klaver of Douglas.

A bill for an act relating to real estate brokers and salesmen; defining terms; creating a real estate commission; providing for issuance of licenses to real estate brokers and salesmen; regulating the conduct of business by such real estate brokers and salesmen and prohibiting unfair trade practices; providing fees for licenses and the manner of the collection and distribution thereof; prescribing a penalty; and to repeal all of Article 9, Chapter 76, C. S. Supp. 1941; and to declare an emergency.

LEGISLATIVE BILL 101. By James H. Anderson of Scotts Bluff, Gantz of Box Butte and Lee of Dodge.

A bill for an act to amend sections 32-1102, 32-1110, 32-1111, 32-1140, and 32-1173, Compiled Statutes of Nebraska, 1929, 32-1123, C. S. Supp., 1941, and 32-1164, C. S. Supp., 1941, relating to elections, primary elections, definitions of terms used in elections and primary elections; the election of delegates to county conventions; the holding of pre-primary conventions and post-primary conventions; the endorsing of candidates by conventions; and the placing of such endorsements on primary ballots and the preparation of such ballots; and to repeal the original sections 32-1102, 32-1110, 32-1111, 32-1140, and 32-1173, Compiled Statutes of Nebraska, 1929, 32-1123, C. S. Supp., 1941, and 32-1164, C. S. Supp., 1941.

LEGISLATIVE BILL 102. By James H. Anderson of Scotts Bluff, Bowman of Adams, and Raecke of Merrick.

A bill for an act to create a board of civil service commissioners in cities having a full paid fire department or a fire department having paid members in the State of Nebraska; to provide a civil service system based upon examination and investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in said fire departments and respective cities; to regulate the transfer, reinstatement, suspension and discharge of said officers and firemen; to provide a penalty; to state a validity clause; and to repeal inconsistent acts and parts of acts.

LEGISLATIVE BILL 103. By Foster of Douglas.

A bill for an act to amend Section 37-201, C. S. Supp., 1941, relating to hunting and fishing permits; providing that for the duration of the war, any person while in the Military Service of the United States be exempt from payment of tax or obtaining a permit; and to repeal said original section.

LEGISLATIVE BILL 104. By Heiliger of Lancaster and Thomas of Clay.

A bill for an act relating to revenue; to provide for the waiving of interest on all general real and personal property taxes for the duration of the war of persons while in the Military Service of the United States.

LEGISLATIVE BILL 105. By Committee on Appropriations, at request of Dwight Griswold, Governor, by H. G. Greeamyre of Madison, Chairman.

A bill for an act to amend Section 7, Article IV, of the Constitution of Nebraska, relating to the powers of the Governor; providing for submission of the proposed amendment to the electors at the general election in November, 1944; providing for the manner of submission and form of ballot; and providing the effective date thereof.

LEGISLATIVE BILL 106. By Committee on Appropriations at request of Dwight Griswold, Governor, by H. G. Greenamyre of Madison, Chairman.

A bill for an act to amend section 81-103, C. S. Supp., 1941, relating to the salaries of the heads of executive departments; providing that the salary of the Director of Health shall be increased to forty-five hundred dollars per annum, and the salary of the Director of Agriculture and Inspection shall be increased to thirty-six hundred dollars per annum; and to repeal the original section.

LEGISLATIVE BILL 107. By Gantz of Box Butte.

A bill for an act relating to dissolved corporations; to provide that a dissolved corporation may be sued in its corporate name in the same manner and with like effect as if it were not dissolved; to provide for service of process upon a dissolved corporation; and to declare an emergency.

LEGISLATIVE BILL 108. By Gantz of Box Butte.

A bill for an act declaring it unlawful to appoint to lucrative public office or position any person related by blood or marriage to person making appointment where person appointed receives compensation of $800.00 or more; to provide such appointment shall be null and void; and to prescribe penalties therefor.

LEGISLATIVE BILL 109. By Reavis of Richardson.

A bill for an act regulating the use of highways of the state; providing that persons moving houses or other large objects upon the highway shall be required to obtain a permit from the county clerk of the county in which the movement of the house or other large body initiates; requiring as a condition to the issuance of a permit that the applicant post a bond in the sum of five thousand dollars, or furnish satisfactory evidence that he carries public liability and property damage insurance in that amount, to cover all damages which may be sustained on account of any negligence of the applicant in the use of the highway.

STANDING COMMITTEE REPORTS

Legislative Administration

January 13, 1943.

To the Members of the Legislature:

Your Committee begs to report that the following people have been employed for services for the members of the legislature and various committees. The salary schedule is also shown, but may be changed from time to time, and any changes will of course be reported to your body:

Name	Position	Rate
Roy J. Becker	Asst. Clerk	$ 8.00 day
J. W. Lundy	Sergeant-at-arms	5.00 day
Clarence Linch	Asst. Serg.-at-arms	4.50 day
Martin L. Pedersen	Postmaster	4.50 day
Rev. Leonard L. Chambers	Chaplain	4.50 day
Mildred Faulkner	Secy. to Lieut. Gov.	5.00 day
Lyda Hafer	Journal Clerk	6.00 day

Barbara Payne	Asst. Journal Clerk	5.00	day
Hollis S. Thurber	Bookkeeper	5.00	day
Joseph J. Miller	Docket Clerk	4.50	day
Clara C. Turbyfill	Office Asst.	4.50	day
Jo Lacy Fisher (Jud. & Rev.)	Clerk of Committee	5.00	day
Isabella M. Moore (Govt)	Clerk of Committee	5.00	day
Patricia M. Anstine (Educ.)	Clerk of Committee	5.00	day
Marcella Allen (Banking)	Clerk of Committee	5.00	day
Lorraine Schwenk (Agri.)	Clerk of Committee	5.00	day
Katherine Cannell (Leg. Adm.)	Clerk of Committee	5.00	day
Marguerite Price (Approp.)	Clerk of Committee	150.00	month
Hazel McBride	Stenographer	5.00	day
Eunice H. France	Stenographer	5.00	day
Bertha Ann Daggett	Stenographer	5.00	day
Willalee Spelts	Stenographer	5.00	day
Elaine Hopkins	Stenographer	5.00	day
Mary Belle Heasley	Stenographer	5.00	day
Phyllis Smyth	Stenographer	5.00	day
Gwenda Lee Holmes	Stenographer	5.00	day
Ruth Case Bordsen	Stenographer	5.00	day
Irma Campbell	Stenographer	5.00	day
Rita Thornton	Stenographer	5.00	day
Delia Rankin	Typist	4.00	day
Dorothy Scott-Glenn	Mimeo. and stencil	5.00	day
Fred Martin	Chief Bill Clerk	5.00	day
Aly E. Druesedow	Asst. Bill Clerk	4.50	day
Robert Obermiller	Asst. Bill Clerk	4.50	day
F. L. Gallagher	Asst. Bill Clerk	4.50	day
Gus E. Neumann	Asst. Bill Clerk	4.50	day
Norma Jo Nykodem	Page and Messenger	4.00	day
Robert Morbach	Page and Messenger	4.00	day
Evelyn Jonas	Page and Messenger	4.00	day
Michael A. Gergen	Chief Leg. Custodian	110.00	month
E. J. Keogh	Asst. Custodian	4.00	day
Dudley Wright	Asst. Custodian	4.00	day
O. J. Burckhardt	Asst. Custodian	4.00	day
C. M. McGrath	Cloak Room Attdt.	100.00	month
Charles Blauvelt	Proof Reader	.60	hour
M. Alice Skiff	Proof Reader	.60	hour
Grace Leavitt	Proof Reader	.60	hour
Orma Hull Kline	Proof Reader	.60	hour

Respectfully submitted,

(Signed) Klaver, Chairman

Mr. Klaver moved that the report of the Committee on Legislative Administration be adopted.

The motion prevailed.

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your Committee on Committees submits the following names as members of the Council of State Governments:

Harry E. Gantz C. Petrus Peterson
H. G. Greenamyre Martin J. Mischke Charles F. Tvrdik

(Signed) Tvrdik, Chairman

Mr. Tvrdik moved that the report of the committee be adopted.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 51. Referred to E and R for engrossment.

LEGISLATIVE BILL 52. Referred to E and R for engrossment.

Visitors

Mr. Sorrell introduced Major William A. Wheeler of the Bakers and Cooks School, Fort Knox, Kentucky, who presented information in regard to feeding the men of our armed forces; and Pvt. Joseph W. Swiderski of Baltimore, Maryland told of some of his experiences while serving as a merchant marine in the South Atlantic. Major Wheeler announced that samples of dehydrated food would be displayed in the lobby after the Legislature adjourned.

Unanimous Consent Granted

Mr. James H. Anderson requested unanimous consent to refer L. B. 51 and L. B. 52 back to Select File.

No objection was offered and the President so ordered.

SELECT FILE

Mr. Greenamyre moved that the rules be suspended and that L. B. 51 and L. B. 52 be advanced to Enrollment and Review for engrossment.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL 51. Referred to E and R for engrossment.

LEGISLATIVE BILL 52. Referred to E and R for engrossment.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 51. Correctly engrossed.

LEGISLATIVE BILL 52. Correctly engrossed.

(Signed) James H. Anderson, Chairman

Adjournment

At 11:50 a. m. Mr. Hanna moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Thursday.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Hugo F. Srb
Clerk of the Legislature.

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska.

Thursday, January 14, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow who was excused.

The Journal for the Seventh Day was approved.

Invitation

The division of Athletics of the State Department of Health and the State Board of Agriculture extended an invitation to the Legislators and their families to attend the wrestling matches to be held Thursday evening, January 14, 1943, at 8:30, at the State Fair grounds.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 86, Wednesday, January 20, 1943, 2:00 p.m.

Revenue

L. B. 44, Thursday, January 21, 1943, 2:00 p.m.

L. B. 45, Thursday, January 21, 1943, 2:00 p. m.

Government

L. B. 11,	Wednesday, January 27, 1943, 2:00 p.m.
L. B. 19,	Wednesday, January 27, 1943, 2:00 p.m.
L. B. 22,	Wednesday, January 27, 1943, 2:00 p.m.
L. B. 55,	Wednesday, January 27, 1943, 2:00 p.m.

PUBLIC HEALTH AND MISCELLANEOUS SUBJECTS

L. B. 25,	Wednesday, January 20, 1943, 2:00 p.m.
L. B. 40,	Wednesday, January 27, 1943, 2:00 p.m.
L. B. 41,	Wednesday, January 27, 1943, 2:00 p.m.

Banking, Commerce and Insurance

L. B. 27,	Thursday, January 21, 1943, 2:00 p.m. (Continued)
L. B. 57,	Thursday, January 21, 1943, 2:00 p.m.
L. B. 58,	Thursday, January 21, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Legislative Administration

Mr. President: Your committee begs to report that they have employed Clarence M. Davis attorney, at $375.00 per month, and Nellie von Dorn, Committee Clerk, at $5.00 per day, for the Committee on Enrollment and Review, as recommended by the chairman of that committee.

(Signed) Klaver, Chairman

Mr. Klaver moved that the report be adopted.

The motion prevailed.

Banking, Commerce and Insurance

Mr. President: Your Committee on Banking, Commerce and Insurance instruct me to report that a session was held January 12, 1943, 2:00 p.m. at which Senator J E Conklin was nominated for secretary and unanimously elected.

(Signed) Peterson, Chairman

Judiciary

LEGISLATIVE BILL 37. Placed on General File with amendments.

Standing Committee amendments to L. B. 37:

1. Amend Section 1, lines 5 and 6 of the printed bill by inserting after the word and punctuation "acts," the words "heretofore or hereafter taken."

2. Amend Section 1, line 18 of the printed bill, by inserting after the word and punctuation "state." the words "If the rank and branch of service of the officer are shown on the instrument, with his signature, no further proof of his authority shall be required."

3. Amend the bill by adding after Sec. 2 the following: "Sec. 3. Since an emergency exists, this Act shall take effect and be in full force from and after its passage and approval, according to law."

4. Amend the title, line 4 of the printed bill, by striking the words "may be" and inserting in lieu thereof the words" heretofore or hereafter."

5. Amend the title, line 7 of the printed bill, by inserting after the word "States" the words "shall be legal, valid and binding."

6. Amend the title, line 8 of the printed bill by striking the punctuation "." after the word "section" and substituting in lieu thereof the punctuation ";" and adding the words "and to declare an emergency."

LEGISLATIVE BILL 17. Placed on General File.

LEGISLATIVE BILL 12. Placed on General File with amendments.

Standing Committee amendments to L. B. 12:

1. Amend the title in lines 1 and 2 of the printed bill by striking the words "escheated to" and inserting in lieu thereof the words "been or may be acquired by".

2. Amend the title, lines 3 and 4 of the printed bill, by striking the words "dispose of" and inserting in lieu thereof the word "sell".

3. Amend the title, line 4 of the printed bill, by striking the word "tangible".

4. Amend the title, line 5 of the printed bill, by inserting after the word "have" the words "or may".

5. Amend the title, line 6 of the printed bill, by inserting after the word "through" the words and punctuation "bequest, gift,".

6. Amend Section 1, line 2 of the printed bill, by striking the punctuation "," after the word "may" and inserting in lieu thereof the word "sell".

7. Amend Section 1, lines 2 and 3 of the printed bill by striking the words "dispose of".

8. Amend Section 1, line 3 of the printed bill, by striking the word "tangible".

9. Amend Section 1, line 4 of the printed bill by inserting after the word "through" the words and punctuation "bequest, gift,".

(Signed) Gantz, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 110. By Reavis of Richardson.

A bill for an act to amend sections 77-1915, C. S. Supp. 1941, and 77-1916, Compiled Statutes of Nebraska, 1929, relating to collection of personal property taxes; providing for giving of notice of amount of taxes to taxpayer before delinquency; prescribing the time and manner of issuance and levy of distress warrants; and to repeal the original sections.

LEGISLATIVE BILL 111. By Peterson of Lancaster and Gantz of Box Butte.

A bill for an act to amend section 33-121, C. S. Supp. 1941, relating to the salaries of sheriffs; to increase the scale of salaries therein provided; and to repeal the original section.

LEGISLATIVE BILL 112. By Peterson of Lancaster.

A bill for an act to amend sections 32-1601, 32-1602 and 32-1603, Compiled Statutes of Nebraska, 1929, relating to elections; to prescribe procedure concerning certificate of appointment, and meeting of the college of electors to elect a president and vice president; and to repeal the original sections.

LEGISLATIVE BILL 113. By Committee on Public Works, Martin J. Mischke of Knox, Chairman.

A bill for an act to amend sections 75-1106 and 75-1113, Compiled Statutes of Nebraska, 1929, relating to crossing of highways by pipe lines; to provide that where the highway is a state or federal highway, the right to enter upon and cross such highway with a pipe line shall be under such reasonable regulations and restrictions as may be prescribed by the Department of Roads and Irrigation; and to repeal the original sections.

LEGISLATIVE BILL 114. By Greenamyre of Madison.

A bill for an act to amend section 48-312, Compiled Statutes of Nebraska, 1929, relating to child labor; to provide that any state or county sheriff, police or truant officer, or inspector of the Department of Labor may visit places of business and shall report illegal employment; and to repeal the original section.

LEGISLATIVE BILL 115. By Greenamyre of Madison.

A bill for an act to amend sections 44-327, 44-328 and 44-329, Compiled Statutes of Nebraska, 1929, relating to insurance; to provide that no person shall act as a soliciting agent for any insurance company or negotiate or place risks, unless the company, his principal, is an admitted company in this state; to provide for annual registration of certain agents and brokers of insurance; to provide that such agents and brokers must annually procure a registration certificate from the Department of Insurance; to provide that a soliciting agent must be a natural person; to provide for the issuance of a broker's certificate to other than a natural person; to provide a penalty for the violation thereof: to provide rules and regulations governing and controlling applications to the Department of Insurance for issuance of registration certificates to insurance agents or brokers; to provide the basis and form of procedure for denying the issuance of such certificates either upon original or renewal applications or for the revocation of such certificates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 116. By Gutoski of Douglas and Tvrdik of Douglas.

A bill for an act relating to the employment of railroad telegraphers between the hours of seven o'clock p.m. and seven o'clock a.m.

LEGISLATIVE BILL 117. By Tvrdik of Douglas, Gutoski of Douglas and Reavis of Richardson.

A bill for an act to repeal Sections 74-570 and 74-571, Compiled Statutes of Nebraska, 1929, relating to lights on railroad switch stands.

LEGISLATIVE BILL 118. By Klaver of Douglas.

A bill for an act to amend section 89-170, C. S. Supp., 1941, relating to weights of bread; to bring fancy breads within the provisions of the act relative to weights therein specified; and to repeal the original section.

LEGISLATIVE BILL 119. By Klaver of Douglas.

A bill for an act relating to exempting the payment of taxes on tangible personal property of persons while in the Military Service of the United States.

LEGISLATIVE BILL 120. By Hubka of Gage.

A bill for an act relating to the public welfare and social security; to provide public assistance for needy crippled persons; to create a Crippled Persons' Assistance Board in each county; to provide methods of obtaining assistance; to provide for payment of assistance to qualified applicants therefor; to provide procedure; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 121. By Doyle of Greeley.

A bill for an act to amend section 26-1801, C. S. Supp., 1941, relating to bounties; to provide that counties shall pay a bounty of one dollar and fifty cents for each coyote killed in the county; and to repeal the original section.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading.)

L.B.	Introducer	Committee Reference
100	Bowman, et al	Public Health and Mis. Subs.
101	James H. Anderson, et al	Government
102	James H. Anderson, et al	Labor and Public Welfare
103	Foster	Agriculture
104	Heiliger, Thomas	Revenue
105	Appropriations, by Greenamyre, Chairman	Appropriations
106	Appropriations, by Greenamyre, Chairman	Appropriations
107	Gantz	Judiciary
108	Gantz	Public Health and Mis. Subs.
109	Reavis	Public Works

GENERAL FILE

LEGISLATIVE BILL 3. Passed over. Retains place on file.

LEGISLATIVE BILL 4. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Seventh Day, were adopted.

Mr. Craven offered the following amendments, which were adopted:

1. Amend Section 1, Line 9, of the printed bill by inserting the following words and punctuation after the word "valuation" and before the word "for", to-wit: "during each of the years 1943 and 1944, and during said years only,".

2. Amend Line 6 of the title of the printed bill by inserting after the word "property" and before the word "for" the following words and punctuation: "during each of the years 1943 and 1944, and during said years only,".

Referred to E and R for review.

LEGISLATIVE BILL 26. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Seventh Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 34. Passed over. Retains place on file.

Visitor

Mr. Doyle introduced Mr. J. B. Rossiter of Walthill, a former member, who extended greetings to the members.

Invitation

Speaker Crosby read an invitation from Governor and Mrs. Griswold to the members, their wives and ladies, to attend an informal reception at the mansion on Wednesday, January 20, 1943 at 8:00 p.m.

Adjournment

At 11:40 a.m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Friday.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Hugo F. Srb
Clerk of the Legislature.

NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 15, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow and Mr. Thomas who were excused.

Mr. Mueller was excused for Monday January 18, 1943.

The Journal for the Eighth Day was approved.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 71, Friday, January 22, 1943, 2:00 p. m.

L. B. 72, Friday, January 22, 1943, 2:00 p. m.

L. B. 81, Friday, January 22, 1943, 3:00 p. m.

Agriculture

L. B. 73, Tuesday, January 19, 1943, 2:00 p. m.

L. B. 90, Tuesday, January 19, 1943, 2:00 p. m.

L. B. 99, Tuesday, January 19, 1943, 2:00 p. m.

L. B. 1, Thursday, January 21, 1943, 2:00 p. m. (Continued)

Revenue

L. B. 93, Thursday, January 21, 2:00 p. m.

L. B. 88, Tuesday, January 26, 2:00 p. m.

L. B. 89, Tuesday, January 26, 2:00 p. m.

Government

L. B. 55, Hearing date changed from

Wednesday, January 27, 1943

to Friday, January 22, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 39. Placed on General File.

LEGISLATIVE BILL 29. Placed on General File with amendments.

Standing Committee amendments to L. B. 29:

1. Amend Section 1, Line 27, by striking everything beginning with the word "provided" to the end of the section and inserting the following in lieu thereof:

> "Provided however, that in any county in which the population of the cities and incorporated villages therein, as appears from the federal census from time to time, may exceed the rural population of such county by one hundred thousand or more persons, thirty per cent of all said fees paid any such county shall be transmitted by the county treasurer to the state treasurer to be credited to the "state highway fund"; thirty-three and one-third per cent of the motor vehicle registration fees paid by residents of the cities and incorporated villages in said county shall be credited by the county treasurer to the road fund of the cities and incorporated villages within any such county in the proportion that the motor vehicle registration of each bears to the total motor vehicle registration of all such cities and incorporated villages, and the sum of money so allocated shall be used by such cities or incorporated villages as follows: One-third thereof for constructing street improvements, and two-thirds thereof for the cleaning, maintenance and repair of streets or boulevards; and the remainder of such fees so collected shall be credited by the county treasurer to the county road fund."

2. Amend the title by striking the words "a different" in line 3 of the printed bill and inserting in lieu thereof the word "the".

(Signed) Raecke, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 122. By Weborg of Cuming.

A bill for an act to amend Section 79-411, C. S. Supp., 1941, relating to school districts; to provide that no contract shall be made by a school district with a teacher who is already under contract to teach in another district, covering a part or all of the same period of time of performance of the contract to teach in the other district; to provide that a teacher entering into such a contract may have his or her certificate revoked; and to repeal the original section.

LEGISLATIVE BILL 123. By Sorrell of Otoe.

A bill for an act to amend Section 16-306, Compiled Statutes of Nebraska, 1929, and Sections 17-108 and 17-209, C. S. Supp., 1941; relating to salaries of officers of cities of the first class, cities of the second class and villages; to increase the salaries of certain officers of cities of the above classes and villages; and to repeal the original sections.

LEGISLATIVE BILL 124. By Thomas of Clay, Garber of Webster and Neubauer of Harlan.

A bill for an act to amend Article XVII, Chapter 71, Compiled Statutes of Nebraska, 1929, relating to osteopathy; to fix the qualifications of osteopathic physicians and surgeons; to provide for examination and licensing of osteopathic physicians and surgeons; to define the scope of the license issued; and to repeal the original sections.

LEGISLATIVE BILL 125. By Committee on Agriculture, Neubauer of Harlan, Chairman.

A bill for an act to amend Sections 81-915 and 81-924, C. S. Supp., 1941, relating to the manufacture and sale of frozen desserts; to provide for the ingredients of frozen desserts in conformity with necessity created by existing conditions of shortage of milk and of milk fats arising from causes over which the people of the State of Nebraska have no control; to reduce the requirements of ingredients until March 1, 1945; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 126. By Lee of Dodge, James H. Anderson of Scotts Bluff and Gantz of Box Butte.

A bill for an act to provide for the creation and operation of a Retirement System for municipalities and municipal utilities in the state.

LEGISLATIVE BILL 127. By Craven of Lancaster, Heiliger of Lancaster and Tvrdik of Douglas.

A bill for an act to amend Section 48-121, Compiled Statutes of Nebraska, 1929, as amended, and Section 48-122, C. S. Supp., 1941, relating to workmen's compensation; to provide for an increase in maximum benefits; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 128. By Cullingham of Douglas.

A bill for an act to amend Sections 14-1404 and 14-1405, C. S. Supp., 1941, relating to Housing Authorities in cities of the metropolitan class; to provide a maximum limitation on compensation payable to officers, employees or counsel thereof; to require that any exercise of powers by the Housing Authority shall require a vote of all of the members of the Housing Authority; to eliminate proxy voting; and to repeal the original sections.

LEGISLATIVE BILL 129. By Asimus of Holt.

A bill for an act to amend Section 66-411, C. S. Supp. 1941, relating to the creation, distribution, allocation and use of the gasoline tax fund; to provide that after June 30, 1943, one half of the gasoline tax fund shall be transferred to the various county treasurers of the state, and the balance transferred to the Department of Roads and Irrigation in the manner prescribed therein and for the uses and purposes therein set out; and to repeal the original section.

LEGISLATIVE BILL 130. By Neubauer of Harlan and Carmody of Hitchcock.

A bill for an act relating to water conservation; to establish the State of Nebraska water conservation board; to provide for its membership and to fix the terms and compensation of its members; to define its powers, duties and functions; to define terms; to state a validity clause; and to declare an emergency.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L.B.	Introducer	Committee Reference
110	Reavis	Revenue
111	Peterson, Gantz	Government
112	Peterson	Government
113	Committee on Public Works By Mischke, Chairman	Public Works
114	Greenamyre	Labor and Public Welfare
115	Greenamyre	Banking, Com. & Ins.
116	Gutoski, Tvrdik	Labor & Public Welfare
117	Tvrdik, et al	Public Health & Misc. Subs.
118	Klaver	Public Health & Misc. Subs.
119	Klaver	Revenue
120	Hubka	Labor and Public Welfare
121	Doyle	Agriculture

Council of State Governments

Mr. Peterson gave an oral report that the members on his committee had selected him chairman to present to the Legislature the question as to whether or not the Nebraska Legislature would send representatives to attend a meeting of the Council of State Governments to be held in Baltimore, Maryland on January 24-26, 1943.

MOTION—To Send Five Members

Mr. President: I move that the five members on the Committee on Council of State Governments be sent to the Sixth General Assembly of States, meeting in Baltimore.

(Signed) Gutoski

Substitute Motion

Mr. President: I move, as a substitute, to send one delegate instead of five to the government convention.

(Signed) Mueller

After discussion of the matter Mr. Foster moved the previous question.

The Chair put the question, "Shall the debate now close?"

The motion prevailed with 27 ayes, no nays, 16 not voting.

Mr. Greenamyre rose to a point of personal privilege.

Mr. Mekota challenged his right to talk on his trip to Denver.

The President ruled that Mr. Greenamyre might proceed.

Mr. Sorrell appealed from the decision of the Chair.

The President put the question, "Shall the Chair be sustained?"

The motion prevailed with 18 ayes, 12 nays, 13 not voting.

Mr. Greenamyre finished his statement.

The Clerk read Mr. Mueller's motion to send one delegate, vote was taken thereon and the motion prevailed with 21 ayes, 11 nays, 11 not voting.

MOTION—To Select by Informal Ballot

Mr. President: I move that we select the member to represent the legislature at the Council of State Governments by informal ballot, from the five members of the Committee on Council of State Governments.

(Signed) Sorrell

Mr. Greenamyre, Mr. Tvrdik and Mr. Gantz all asked that their names be withdrawn as delegates.

The motion by Mr. Sorrell prevailed with 26 ayes, no nays, 17 not voting.

The President appointed Mr. Srb and Mr. Becker as tellers.

Informal ballot was taken and the result was as follows:

Peterson	32
Lundy	1
Sorrell	1
Mischke	3
Gantz	1

Mr. Gutoski moved that Mr. Peterson be declared elected by unanimous vote.

The motion prevailed unanimously.

MOTION—To Suspend Rules

Mr. Mischke moved to suspend the rules and consider bills on Third Reading File.

The motion prevailed with 35 ayes, 1 nay, 7 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 51. With emergency.

A bill for an Act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the fifty-sixth session, Nebraska State Legislature, during the biennium ending June 30, 1943 and for the ad interim activities of said Legislature during the biennium ending June 30, 1945; to appropriate the sum of forty-five thousand dollars therefor; to provide for the payment of compensation of bill drafters, legal researcher, correlation clerk, stenographers, and proofreaders and for the payments to be made for supplies and other incidental expenses incurred by the bill-drafting and related services of the Nebraska Legislative Council during the fifty-sixth session, Nebraska State Legislature, commencing January 5, 1943, and ending with the adjournment of the Legislature sine die; to appropriate the sum of six thousand five hundred dollars therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0:

Not voting, 5:

Anderson, D. S.
Hubka
Jeffords
Rakow
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 52. With emergency.

A bill for an Act to provide for the payment of the salaries of members of the Fifty-Sixth Session, Nebraska State Legislature, for a period of two years commencing the first Tuesday in January, 1943; to appropriate the sum of seventy-five thousand dollars therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0:

Not voting, 2:

Rakow
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 51. Correctly enrolled.

LEGISLATIVE BILL 52. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 51. Legislative Bill 52.

Adjournment

At 12:17 p. m. Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until Monday, January 18, at 10:00 a.m.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Hugo F. Srb
Clerk of the Legislature.

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 18, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Mueller, Anderson, D. S. and Lee, who were excused.

Mr. Mekota was excused for Tuesday, Wednesday, and possibly Thursday.

The Journal for the Ninth Day was approved as corrected.

Communications

A letter was read from the Hardy Furniture Company quoting prices on venetian blinds for the south windows of the Legislative Chamber.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 76, Monday, January 25, 2:00 p.m.

L. B. 80, Monday, January 25, 2:00 p.m.

L. B. 83, Monday, January 25, 2:00 p.m.

L. B. 82, Wednesday, January 27, 2:00 p.m.

Labor and Public Welfare

L. B. 47, Monday, January 25, 2:00 p.m.

L. B. 53, Monday, January 25, 2:00 p.m.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

Mr. President: Your Committee on Labor and Public Welfare reports that Senator Thomas has been selected as vice chairman of the committee. Frances Henry has been selected as committee clerk.

(Signed) Craven, Chairman

Public Works

LEGISLATIVE BILL 20. Placed on General File with amendments.

Standing Committee amendments to L. B. 20:

1. Amend bill by adding Section 3, which contents consist of the Emergency Clause and also the title to conform.

2. Amend Section 1 by inserting in lieu of the stricken portion, the following: "Manned by drivers more than sixteen years of age and less than sixty-five."

LEGISLATIVE BILL 7. Placed on General File with amendments.

Standing Committee amendments to L. B. 7:

1. Amend the title by striking Stanley E. Matzke and inserting in lieu thereof, Stanley A. Matzke.

2. Amend the bill, section 1, line 57 after the word **issued** by inserting the following:

"and shall expire on December 31 next following"

3. After the **period** in line 58 insert the following:

"All fees collected under this act shall be paid to the State Treasurer and credited to the public warehouse

> fund, and said fees, together with what may be appropriated by law, shall be used by the State Railway Commission to carry out the provisions of this act."

4. Amend the bill and the title to conform by adding a new section containing the Emergency Clause.

LEGISLATIVE BILL 23. Placed on General File.

LEGISLATIVE BILL 10. Placed on General File with amendments.

Standing Committee amendments to L. B. 10:

Section 1—line 6, after the word "**wiring**", strike the remainder of section and insert in lieu thereof the following:

"**outside of the corporate limits of villages and cities.**"

Sec. 2—lines 3 and 4, strike the following: "**of and within any rural electrification district**", and insert in lieu thereof the following:

"**outside of the corporate limits of villages and cities.**"

Sec. 2—line 4, strike the word "**condemn**", and insert in lieu thereof the following:

"**require the correction of**"

Sec. 2—lines 5 and 6, strike "**, and to require removal thereof or repairs thereto.**"

Sec. 2—lines 9 and 10, after the word "**service**" strike "**from a rural electrification district**" and insert in lieu thereof the following: "**outside of the corporate limits of villages and cities.**"

Sec. 4—by striking complete section.

Amend title to conform with bill.

(Signed) Mischke, Chairman

Enrollment and Review

LEGISLATIVE BILL 26. Placed on Select File with amendments.

E and R amendments to L. B. 26:

1. Amend the first line of Standing Committee Amendment No. 2, by inserting, after the quotation mark and before the word "Since", the following: "Sec. 3."

2. In the first and second lines of the title of the printed bill (original bill page 1, first and second lines) strike out the words "Compiled Statutes of Nebraska, 1929," and insert in lieu thereof, the following words, figures and punctuation, to-wit: "C. S. Supp., 1941,".

3. In the third line of the title of the printed bill (original bill page 1, third line) insert, after the word "by" and before the word "the", the following, to-wit: "any Federal Reserve Bank or".

4. In the fourth line of the title of the printed bill (original bill page 1, fourth line) insert a comma (",") after the word "government" and before the word "or", and also after the word "thereof" and before the word "shall".

5. In lines 1 and 2 of Section 1 of the printed bill (original bill, page 2, lines 1 and 2) strike out "Compiled Statutes of Nebraska, 1929" and insert, in lieu thereof, the following words, figures and punctuation, to-wit: "C. S. Supp., 1941".

6. In lines 14 and 15, Section 1, of the printed bill (original bill, page 2, lines 14 and 15) strike out ". and In" and insert in lieu thereof: ", and in . In."

7. In lines 23 and 24, Section 1 of the printed bill (original bill page 2, lines 23 and 24) strike out "Compiled Statutes of Nebraska, 1929" and insert in lieu thereof: ", C. S. Supp., 1941".

8. In lines 25 and 26, Section 1, of the printed bill (original bill page 2, lines 25 and 26) add a comma (",") after the word "subject" and before the word "under" and also in the following additional places, to-wit: after the word "section" and before the word "to", after the word "limitation" and before the word "based" and after the word "surplus" and before the word "to".

9. In lines 1 and 2, Section 2, in the printed bill and original bill, strike out "Compiled Statutes of Nebraska, 1929" and insert in lieu thereof the following words, figures and punctuation, to-wit: "C. S. Supp., 1941".

LEGISLATIVE BILL 4. Placed on Select File with amendments.

E and R amendments to L. B. 4:

1. Strike out Standing Committee Amendment No. 1 and in line 11 of Section 1 of the printed bill (original bill, page 2, line 11), after the word **"channels"** and before the word **"to"**, add the following words and punctuation:

> **"and for the construction of levees and flood gates, as parts of the same projects,"**

2. Strike out Standing Committee Amendment No. 2 and in line 17 of Section 1 of the printed bill (original bill, page 2, line 17), after the word **"channels"** and before the word **"to"**, add the following words and punctuation:

> **"and for the construction of levees and flood gates, as parts of the same projects,"**

3. Amend the first line of Standing Committee Amendment No. 3, by inserting, after the quotation mark and before the word "since", the following: "Sec. 3."

4. Strike out Amendment No. 4 of the Standing Committee and in the seventh line of the title in the printed bill (original bill, page 1, seventh line), after the word "channels" and before the word "to", add the following words and punctuation:

> "and for the construction of levees and flood gates, as parts of the same projects,"

5. Strike out Legislature Amendment No. 1 and in line 9 of Section 1 of the printed bill (original bill, page 2, line 9), insert the following words and punctuation, after the word **"valuation"** and before the word **"for"**, to-wit:

> **"during each of the years 1943 and 1944, and during said years only,".**

6. That Legislative Amendment No. 2 be amended by adding a comma (",") after the word "only" in the fourth line thereof.

7. In line 11 of Section 1 of the printed bill (original bill, page 2, line 11), after the word "shall" and before the word "on", by adding a comma (",").

8. In line 12 of Section 1 of the printed bill (original bill, page 2, line 12) after the word "year" and before the word "certify", by adding a comma (",").

9. In lines 18 and 19 of Section 1 of the printed bill (original bill page 2, lines 18 and 19) strike “. ~~and~~ The” and insert in lieu thereof:

“, ~~and the~~ . The”

(Signed) James H. Anderson, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 131. By Asimus of Holt and Ogden of Douglas.

A bill for an act to amend sections 60-801, 60-802 and 60-803, C. S. Supp., 1941, relating to towing of motor vehicles on the highway.

LEGISLATIVE BILL 132. By Mueller of Buffalo.

A bill for an act relating to manufacturing of plastics using exclusively products grown on the farms of Nebraska; to provide state aid upon the construction of plants for the manufacture thereof; and to declare an emergency.

LEGISLATIVE BILL 133. By Hanna of Cherry.

A bill for an act to amend section 54-126, C. S. Supp., 1941, relating to recording of registered cattle brands and marks; to establish a recording fee, a renewal fee and a renewal period; and to repeal the original section and also section 5.

LEGISLATIVE BILL 134. By Garber of Webster.

A bill for an act relating to game and fish; to provide a remedy to the owner of land for damage to such real estate by beaver; to provide that the Game, Forestation and Parks Commission shall set aside ten thousand dollars from money arising out of sales of permits to hunt, trap and fish, to pay said damages.

LEGISLATIVE BILL 135. By Neubauer of Harlan.

A bill for an act relating to revenue; to provide for the levy, assessment, collection, payment and distribution of a tax on cigarettes sold within the State of Nebraska for the benefit of the State Assistance Fund for the purpose of conserving and sustaining the funds; to define the duties of the Department of Agriculture and Inspection and the State Treasurer imposed under the provisions of this act; and to provide penalties for the violation thereof.

LEGISLATIVE BILL 136. By Committee on Public Works, Martin J. Mischke of Knox, Chairman.

A bill for an act to amend section 39-11,101, C. S. Supp., 1941, relating to motor vehicles; to provide until March 1, 1945, for the reduction in prima facie lawful rate of speed throughout the state when, as a result of an engineering and traffic investigation, the Department of Roads and Irrigation shall determine that any prima facie rate of speed is greater than is reasonable and proper; and to repeal the original section.

LEGISLATIVE BILL 137. By Raecke of Merrick, Crosby of Lincoln and Tvrdik of Douglas.

A bill for an act to amend sections 3-215 and 3-216, C. S. Supp., 1941, relating to aircraft; to provide for the distribution of gasoline tax collected on aircraft fuel; to provide for reimbursement in the amount of three cents per gallon on gasoline purchased and consumed for the purposes of operating and propelling aircraft; and to repeal the original sections.

LEGISLATIVE BILL 138. By Gutoski of Douglas.

A bill for an act to amend sections 33-120 and 47-111, C. S. Supp., 1941, relating to jails; to provide for the care of prisoners in counties having a population of two hundred thousand or more inhabitants; to provide that fees for the care of state prisoners in such counties shall inure to the county, shall be paid to the county treasurer, and shall be credited to the general fund; and to repeal the original sections.

LEGISLATIVE BILL 139. By Rakow of Antelope, Gutoski of Douglas and Thompson of Nance.

A bill for an act relating to the public health, convenience and welfare; providing for the examination and licensing of persons to practice chiropody, chiropractic, dentistry, embalming, medicine and surgery, nursing, optometry, osteopathy, pharmacy and veterinary medicine; providing the duties of licensees thereunder; providing for the revocation of licenses for cause; to amend sections 71-206, 71-208, 71-303, 71-305, 71-306, 71-311, 71-601, 71-602, 71-603, 71-609, 71-613, 71-614, 71-801, 71-1401, 71-1402, 71-1403, and 71-1404, Compiled Statutes of Nebraska, 1929; to amend sections 71-205, 71-209, 71-302, 71-304, 71-602 and 71-701, C. S. Supp., 1941; to repeal the above mentioned original sections and also section 71-1405, Compiled Statutes of Nebraska, 1929; and to repeal all the acts and parts of acts in conflict therewith.

LEGISLATIVE BILL 140. By Cullingham of Douglas, by request.

A bill for an act relating to bonds, undertakings and contracts of suretyship; to provide for agreements for joint control of funds and assets deposited with depositories; and to state the effect thereof.

Mr. Peterson Presiding

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading.)

L.B.	Introducer	Committee Reference
122	Weborg	Education
123	Sorrell	Government
124	Thomas, et al	Public Health and Misc. Subs.
125	Committee on Agriculture By Neubauer, Chairman	Public Health and Misc. Subs.
126	Lee, et al	Government
127	Craven, et al	Labor and Public Welfare
128	Cullingham	Government
129	Asimus	Revenue
130	Neubauer, Carmody	Public Works

L. B. 128 Re-referred

At the request of Mr. Cullingham L. B. 128 re-referred from Government to Committee on Public Works.

GENERAL FILE

LEGISLATIVE BILL 3. Passed over. Retains place on File.

LEGISLATIVE BILL 34. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 37. Read. Laid over. Retains place on File.

LEGISLATIVE BILL 17. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 12. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 39. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 29. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Ninth Day, were adopted.

At the request of Mr. Tvrdik, unanimous consent was granted to add the names Sidney J. Cullingham, William J. Norman and Harry A. Foster, all of Douglas, as introducers.

Referred to E and R for review.

Adjournment

At 11:45 a.m. Mr. Mischke moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Tuesday.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Hugo F. Srb
Clerk of the Legislature.

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, January 19, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend Quintin Wilder of Neligh, Nebraska.

The roll was called and all member were present except Mr. Mekota who was excused.

The Journal for the Tenth Day was approved.

Approved by the Governor

January 18, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. 51. L. B. 52.

Respectfully submitted,
(Signed) Robt. M. Armstrong,
Secretary to the Governor.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 21, Monday, January 25, 1943, 2:00 p. m.

L. B. 106, Monday, January 25, 1943, 3:00 p. m.

L. B. 35, Monday, January 25, 1943, 3:30 p. m.

L. B. 105, Monday, January 25, 1943, 4:00 p. m.

Judiciary

L. B. 92, Wednesday, January 27, 1943, 2:00 p. m.

L. B. 94, Friday, January 29, 1943, 2:00 p. m.

Education

L. B. 84, Monday, January 25, 1943, 2:00 p. m.

L. B. 85, Monday, January 25, 1943, 2:00 p. m.

L. B. 91, Monday, January 25, 1943, 2:00 p. m.

L. B. 97, Monday, January 25, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 42. Placed on General File with amendments.

Standing Committee amendments to L. B. 42:

1. Amend the printed bill, Section 1, lines 7 to 22, inclusive, by striking the punctuation "." after the word "other" in line 7 and by striking the balance of said section and inserting in lieu thereof the following: ", and the wife shall be a competent witness against the husband in all prosecutions for wife and child abandonment. Either may be a witness against the other in any action brought by either husband or wife against a third person, relating to the marriage relationship between such husband and wife, or the interruption of or interference with such relationship, and any decree of divorce by one against the other shall be competent evidence in any such action. Either husband or wife may in all criminal prosecutions be a witness for the other."

(Signed) Gantz, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION 2. Invitation to Senator Norris.

Introduced by Don E. Hanna of Cherry.

Whereas: The Honorable George W. Norris is known as The Father of our Unicameral Legislature,

And whereas: For a period of almost forty years he has represented the State of Nebraska in the Congress of the United States, where his untiring effort for the benefit of mankind has won the admiration of the world,

Now, therefore, be it resolved that the Lieutenant Governor and Members of the Nebraska Legislature hereby extend him a cordial invitation to visit and address said body.

MOTION—To Suspend Rules

Mr. Hanna moved that the rules be suspended and that the resolution be considered at once.

The motion prevailed with 39 ayes, no nays, 4 not voting.

MOTION—To Adopt Resolution

Mr. Hanna moved that Legislative Resolution 2 be adopted.

The motion prevailed.

LEGISLATIVE RESOLUTION 3. Permission to Sue State.

Introduced by Louis M. Jeppesen of Dakota

A RESOLUTION GRANTING George R. Rockwell; Grover C. Davis; Frank M. Church; Amberry Bates; Arthur Rymill; Albert Probst; Henry F. Schroeder; Kermit S. Kautz, Administrator of the Estate of Peter Kautz, Deceased; Kermit S. Kautz; Village of Homer, Nebraska; Bernice B. Barber; George Barber; Albert T. Barnes; Dr. Antonius A. Larsen; Leo Wagner; Farmers Co-Operative Store, a corporation; The St. Anthony & Dakota Elevator Co., a corporation; James Allaway and Audrey Allaway, doing business as Allaway Bros., a co-partnership; St. Cornelius Church, a corporation; The Methodist Episcopal Church of Homer, Nebraska; The Lutheran Church of Homer, Nebraska; Heyne

Service Station, Inc.; William Mack; Thomas Ashford; Lena Wagner; Charles Davis; and Judd M. O'Dell, permission and authority to file suits against the State of Nebraska and the Department of Roads and Irrigation in the District Court of Dakota County, Nebraska for the purpose of having a fair and impartial adjudication of their claims for damages occasioned to their property by reason of the construction of the highway embankment and grade on state and federal highway known as U. S. Highway No. 77 extending north and south along the east side of the Village of Homer and the impounding and damming up of the flood waters on June 3, 1940, and the attendant destruction of the property of the claimants above named; to provide for the prosecution of said suits; to admit and create liability and permit recovery of damages against the State of Nebraska in the premises, if any there be, and to declare an emergency.

PREAMBLE

WHEREAS, George R. Rockwell; Grover C. Davis; Frank M. Church; Amberry Bates; Arthur Rymill; Albert Probst; Henry F. Schroeder; Kermit S. Kautz, Administrator of the Estate of Peter Kautz, Deceased; Kermit S. Kautz; Village of Homer, Nebraska; Bernice B. Barber; George Barber; Albert T. Barnes; Dr. Antonius A. Larsen; Leo Wagner; Farmers Co-Operative Store, a corporation; The St. Anthony & Dakota Elevator Co., a corporation; James Allaway and Audrey Allaway, doing business as Allaway Bros., a co-partnership; St. Cornelius Church, a corporation; The Methodist Episcopal Church of Homer, Nebraska; The Lutheran Church of Homer, Nebraska; Heyne Service Station, Inc.; William Mack; Thomas Ashford; Lena Wagner; Charles Davis; and Judd M. O'Dell, all these persons being residents and citizens of Nebraska, or corporations and firms doing business in the State of Nebraska, and it is claimed and alleged that on June 3, 1940, a very large percentage of the damage done to their property was occasioned and caused by negligence on the part of the State of Nebraska and the Department of Roads and Irrigation in the construction and maintenance of the state and federal highway known as U. S. Highway No. 77 extending in a general north and south direction along the east side of the Village of Homer; said negligence consisting in the construction and maintenance of a high grade and embankment without proper openings therein to permit the flood waters to spread out over the lowlands to the north and east of the Village of Homer, but impounded and dammed them up and prevented said flood waters from flowing as they were wont to flow and would have flowed except for the construction and maintenance of said high grade and embankment in the manner and form in which it was constructed and maintained.

WHEREAS, said persons and corporations have suffered and sustained damages in large amounts to their respective properties for which they have not been justly compensated, by reason of the damming up and impounding of said flood waters on June 3, 1940, because of the negligent construction and maintenance of said highway grade and embankment as aforesaid, and

WHEREAS, said parties and firms are desirous of having a fair and impartial adjudication of their claims for damages in law before a court of competent jurisdiction in the State of Nebraska,

NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-SIXTH REGULAR SESSION ASSEMBLED:

1. That the said George R. Rockwell; Grover C. Davis; Frank M. Church; Amberry Bates; Arthur Rymill, Albert Probst; Henry F. Schroeder; Kermit S. Kautz, Administrator of the Estate of Peter Kautz, Deceased; Kermit S. Kautz; Village of Homer, Nebraska; Bernice B. Barber; George Barber; Albert T. Barnes; Dr. Antonius A. Larsen; Leo Wagner; Farmers Co-Operative Store, a corporation; The St. Anthony & Dakota Elevator Co., a corporation; James Allaway and Audrey Allaway, doing business as Allaway Bros., a co-partnership; St. Cornelius Church, a corporation; The Methodist Episcopal Church of Homer, Nebraska; The Lutheran Church of Homer, Nebraska; Heyne Service Station, Inc.; William Mack; Thomas Ashford; Lena Wagner; Charles Davis; and Judd M. O'Dell be, and they hereby are empowered and granted the right to file suits either individually or collectively against the State of Nebraska in the District Court of Dakota County, Nebraska to determine the liability and obligation of the State of Nebraska, if any, to the said persons above named who seek to recover damages as above set forth.

2. That the State of Nebraska by this Resolution specifically waives its sovereignty, as recited in Sec. 22, Article V, Constitution of the State of Nebraska, and this Resolution granting permission to sue is in conformity with Sec. 27-319, Compiled Statutes of Nebraska, 1929 and 1941; and the Legislature intends by this Resolution to make the State of Nebraska liable to respond in damages to the persons named herein for the damage to their respective properties if it appears that such property was destroyed and damaged by reason of the negligence of the State of Nebraska and the Department of Roads and Irrigation of the State of Nebraska, its agents and employees, in the construction and maintenance of Highway No. 77 in such a manner as to dam up and impound the flood waters and greatly increase and aggravate the damages which otherwise would have occurred as the result of the flood on June 3, 1940.

3. That the Attorney General of the State of Nebraska is hereby authorized and directed to represent said State of Nebraska in the event suits are brought to defend for and on behalf of the State of Nebraska and the Department of Roads and Irrigation and to make each and every defense to the claims of the persons and firms herein named which the State of Nebraska may have in said premises.

4. That it is the intention by this resolution to permit the prosecution of said suits either in the District Court of Dakota County, Nebraska, or in the United States District Court of Nebraska in the event any of said suits may be removed thereto by reason of another defendant having been joined therein.

5. That in the event upon trial of such suits judgment or judgments shall be entered in the District Court of Dakota County, Nebraska, or in any court to which said causes or any of them may be removed or appealed in favor of any of said parties or firms and against the State of Nebraska, the Auditor of Public Accounts of said State upon receipt of a certified copy of any judgment or mandate is hereby authorized and directed to draw his warrant or warrants for the amount or amounts specified therein including interest thereon upon the general fund of the State of Nebraska, and the State Treasurer is hereby directed to pay any such warrants when the same shall have been presented to him for that purpose.

6. That whereas, an emergency exists, this Resolution shall be in full force and effect from and after its passage and adoption according to law.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 141. By Heiliger of Lancaster.

A bill for an act relating to reimbursement of the State Real Estate Commissioner Fund; to provide that the sum of seven thousand four hundred eighty-eight dollars and twenty-seven cents be appropriated and transferred from the Chemurgy fund to the State Real Estate Commissioner fund, designated as account number sixty-five in the office of the Auditor of Public Accounts; to provide that if the amount in the Chemurgy fund is not sufficient for that purpose, that whatever amount there is in such fund at the date this act becomes effective be appropriated and transferred, and the balance appropriated and transferred out of appropriation made for the Chemurgy fund by the Legislature for the biennium commencing July 1, 1943 and ending

June 30, 1945; and to provide that if no appropriation is made by the Legislature for the Chemurgy fund, that the amount necessary to make up the deficiency be appropriated and transferred from the general fund to the credit of the State Real Estate Commissioner fund; and to declare an emergency.

LEGISLATIVE BILL 142. By Osborne of Morrill.

A bill for an act relating to the members of the Legislature; to provide for filing of reports showing income and disbursements of all candidates for and members of the Legislature; and to provide penalty therefor.

LEGISLATIVE BILL 143. By Judiciary Committee by Gantz of Box Butte, Chairman.

A bill for an act to accept, approve and ratify the general rules of practice and procedure promulgated by the Supreme Court of Nebraska on April 20, 1942, and reported to this regular session of the Legislature at the beginning thereof.

LEGISLATIVE BILL 144. By Judiciary Committee by Gantz of Box Butte, Chairman.

A bill for an act to reject, disapprove and repeal the general rules of practice and procedure promulgated by the Supreme Court of Nebraska on April 20, 1942, and reported to this regular session of the Legislature at the beginning thereof.

LEGISLATIVE BILL 145. By Judiciary Committee, by Gantz of Box Butte, Chairman.

A bill for an act to accept, approve and ratify the general rules of practice and procedure promulgated by the Supreme Court of Nebraska on April 20, 1942, and reported to this regular session of the Legislature at the beginning thereof, except as to the rules and parts of rules specifically enumerated in this act as being rejected, disapproved and repealed.

LEGISLATIVE BILL 146. By Hubka of Gage.

A bill for an act to amend sections 16-206 and 17-436, Compiled Statutes of Nebraska, 1929, relating to municipal corporations; to restrict the powers of cities of the first class having a population of more than five thousand inhabitants and less than twenty-five thousand inhabitants, cities of the second class having a population of more than one thousand inhabitants and less than five thousand inhabitants and villages to levy and collect an occupation tax upon wholesale dealers selling, offering to sell, delivering, or taking orders for future delivery commodities to retailers for purposes of resale in said cities and villages from truck, automobile or other vehicle, to the city or village of the principal place of business of said wholesaler; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 147. By Garber of Webster.

A bill for an act relating to revenue; to provide for a levy of one-eighth mill to reimburse the Permanent School Fund for all losses sustained as reported by the Auditor of Public Accounts, and any excess raised by such levy to be used to construct an historical building for the State Historical Society.

LEGISLATIVE BILL 148. By Rakow of Antelope and Hanna of Cherry.

A bill for an act relating to taxation of hotels; to provide for tax on excess charges; to provide funds for old age assistance; to provide methods of payment of tax; to prescribe penalties; and to declare an emergency.

LEGISLATIVE BILL 149. By Ogden of Douglas, James H. Anderson of Scotts Bluff and Cullingham of Douglas.

A bill for an act to amend sections 71-209 and 71-1804, C. S. Supp., 1941, relating to public health and welfare; to relieve licensed pharmacists from payment of annual renewal fees of licenses while actively engaged in the military service of the United States, as defined in the Soldiers and Sailors Civil Relief Act of 1940; to provide that all applicants for examination accepted by the Board of Examiners in Pharmacy shall be graduates of accredited schools of pharmacy as defined in section 71-1806, C. S. Supp., 1941; and to repeal the original sections.

LEGISLATIVE BILL 150. By Doyle of Greeley.

A bill for an act to prohibit the sale of fireworks outside of the corporate limits of any city or village; to provide a penalty; and to declare an emergency.

LEGISLATIVE BILL 151. By Greenamyre of Madison.

A bill for an act relating to state institutions; to direct the Board of Control to close the Nebraska Industrial Home at Milford as rapidly as the physical condition of the inmates therein warrants from and after the effective date of this act; to provide for the hospitalization of said inmates in such other suitable institution or private hospital as the Board of Control shall designate; and to repeal Article 13, Chapter 83, Compiled Statutes of Nebraska, 1929.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B.	**Introducer**	**Committee Reference**
131	Asimus, Ogden	Public Works
132	Mueller	Agriculture
133	Hanna	Agriculture
134	Garber	Agriculture
135	Neubauer	Revenue
136	By Committee on Public Works By Mischke, Chairman	Public Works
137	Raecke, et al	Revenue
138	Gutoski	Government
139	Rakow, et al	Public Health & Misc. Subs.
140	Cullingham by request	Judiciary

L. B. 125 Re-referred

The President announced that L. B. 125 had been re-referred from Committee on Public Health & Miscellaneous Subjects to Committee on Agriculture.

Visitor

Mr. Lee introduced Dr. P. L. Cady of Arlington, a former member, who addressed the Legislature briefly.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended as to the five days notice of public hearing and that L. B. 23 be placed on General File.

(Signed) Mischke

The motion prevailed with 34 ayes, no nays, 9 not voting.

GENERAL FILE

Speaker Crosby Presiding

LEGISLATIVE BILL 3. Passed over. Retains place on File.

LEGISLATIVE BILL 37. Standing Committee amendments, found in the Legislative Journal for the Eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 20. Read and considered.

Standing Committee amendment No. 1, found in the Legislative Journal for the Tenth Day, was withdrawn.

At the request of Mr. Mischke, unanimous consent was granted to amend Standing Committee amendment No. 2 by striking the words "Manned by drivers" from the quoted clause and adding at the close of the quoted clause the words "years of age".

Standing Committee amendment No. 2, as amended, was adopted.

Laid over. Retains place on file.

LEGISLATIVE BILL 7. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Tenth Day, numbered 1, 2 and 3, were adopted.

Standing Committee amendment numbered 4 was withdrawn.

Mr. Mischke offered the following amendment, which was adopted:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." and the title be amended to conform with the body of the bill.

Referred to E and R for review.

LEGISLATIVE BILL 23. Passed over. Retains place on File.

LEGISLATIVE BILL 10. Passed over. Retains place on File.

MOTION—To Suspend Rules

Mr. Mischke moved that the rules be suspended and that L. B. 26 and L. B. 4 on Select File be considered at once.

The motion prevailed with 36 ayes, no nays, 7 not voting.

SELECT FILE

LEGISLATIVE BILL 26. E and R amendments, found in the Legislative Journal for the Tenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 4. E and R amendments, found in the Legislative Journal for the Tenth Day, were adopted.

Referred to E and R for engrossment.

Adjournment

At 11:55 a.m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Wednesday.

The motion prevailed with 37 ayes, no nays, 7 not voting.

Hugo F. Srb
Clerk of the Legislature.

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 20, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Mekota and Mr. Reavis, who were excused.

The Journal for the Eleventh Day was approved.

Communications

The President announced that the Clerk had communicated with Senator George W. Norris, who explained that it would be impossible for him to accept the invitation to visit the Legislature directly upon his return from Washington, but that he would advise later in that regard.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 48, Thursday, January 28, 1943, 2:00 p. m.

Public Works

L. B. 109, Wednesday, January 27, 1943, 2:00 p. m.

L. B. 113, Wednesday, January 27, 1943, 2:00 p. m.

Agriculture

L. B. 74,	Tuesday, January 26, 1943, 2:00 p. m.
L. B. 78,	Tuesday, January 26, 1943, 2:00 p. m.
L. B. 103,	Tuesday, January 26, 1943, 2:00 p. m.
L. B. 121,	Tuesday, January 26, 1943, 2:00 p. m.

Revenue

L. B. 16,	Tuesday, February 2, 1943, 2:00 p. m. (Continued)
L. B. 38,	Tuesday, February 2, 1943, 2:00 p. m. (Continued)
L. B. 14,	Tuesday, February 2, 1943, 2:00 p. m.
L. B. 15,	Tuesday, February 2, 1943, 2:00 p. m.
L. B. 104,	Thursday, January 28, 1943, 2:00 p. m.
L. B. 110,	Thursday, January 28, 1943, 2:00 p. m.
L. B. 119,	Thursday, January 28, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 33. Placed on General File.

(Signed) Peterson, Chairman.

Education

LEGISLATIVE BILL 28. Placed on General File with amendments.

Standing Committee amendments to L. B. 28:

(1) At the end of Section 1, line 15, after the period insert the following: **"And the mutual contributions hereinafter provided for the benefit of participants, may be applied in payment of premiums on contract of insurance already in force."**

(2) In section 4, line 7, after the words **"provided, that"**, insert the following: **"the total of such contributions shall be computed on**

the basis of not more than $3000.00 salary in any one year, and provided further that".

LEGISLATIVE BILL 24. Placed on General File with amendments.

Standing Committee amendments to L. B. 24:

(1) Amend section 1, lines 7 and 8 by striking the words **"when the United States is at war with another nation"**, and inserting in lieu thereof: **"from the effective date hereof until September first, 1947".**

(2) Amend lines 18 and 19 by striking **"When the United States is at war with another nation,"**

(3) In line 19 strike the word **"the"** and insert in lieu thereof the word **"The".**

(4) In lines 22 and 23 strike the words and punctuation **"for a period of one year, or until the first Monday in September thereafter, after the ending of the war"** and insert in lieu thereof: **"until September first, 1947".**

(5) Amend the title to the bill: lines 4, 5 and 6 by striking the words **"when the United States is at war with another nation"** and substituting in lieu thereof; **"until September first, 1947".**

(6) Amend the title lines 8 and 9 by striking the words **"a limited time after the termination of such war"** and insert in lieu thereof the words **"that time".**

Agriculture

LEGISLATIVE BILL 90. Placed on General File with amendments.

Standing Committee amendments to L. B. 90:

1. Amend line 5 of Section 1 by striking the word "entire".

2. Amend section 1 by reinserting the stricken matter in line 4, 5, 6, 7, 8, 9, 10, and 11 and adding the word "Antelope" before the word "Arthur" and adding the word "Boone" before the word "Blaine".

3. Amend the title by striking the words "entire State of Nebraska" and substituting therefor the words "counties of Antelope and Boone".

LEGISLATIVE BILL 73. Placed on General File with amendments.

Standing Committee amendments to L. B. 73:

1. Amend line 3 of the title by striking the word "exclusively".

2. Amend line 10 of Section 1 by striking the word "exclusively".

LEGISLATIVE BILL 99. Placed on General File with amendments.

Standing Committee amendments to L. B. 99:

1. Amend Section 1, line 22, by striking the period, substituting a comma, and adding the following: "when funds are available".

2. Amend Section 1 by striking lines 22 and 23.

3. Amend the title by striking the word "that" in the third line and substituting the word "for", and striking the words "shall be optional with the State Board of Agriculture" and substituting "when funds are available".

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL 12. Placed on Select File with amendments.

E and R amendments to L. B. 12:

1. Amend Standing Committee Amendment 1, third line, by adding the word "hereafter" after the word "be" and before the word "acquired".

2. Amend Standing Committee Amendment 2, second line, by adding the word "hereafter" after the word "may" and before the last quotation mark in said line.

3. Amend Standing Committee Amendment 6, second line, by inserting a comma (",") after the word "sell" and before the last quotation mark in said line.

4. In the 6th line of the title, printed bill, (original bill, page 1, sixth and seventh lines of the title), strike the words "State of Nebraska" and insert in lieu thereof the following: "common school fund".

5. Amend the title, printed bill, sixth line (original bill, title, page 1, 7th line), by striking the period (".") and insert in lieu thereof, the following words and punctuation: "to the State of Nebraska."

LEGISLATIVE BILL 17. Placed on Select File with amendments.

E and R amendments to L. B. 17:

1. Amend the first line of the title of the printed bill (original bill, page 1, first line of title), by adding the word "a" after the word "in" and before the word "civil", and insert the words "in an" after the word "or".

2. In the second line of the title of the printed bill (original bill, page 1, second line), strike out the word "actions" and insert in lieu thereof the word "action".

3. In line 3 of Section 1 of the printed bill (original bill, page 2, line 3), insert a comma (",") after the word "state" and before the word "or".

4. In line 5 of Section 1 of the printed bill (original bill, page 2, line 5) insert a comma (",") after the word "person" and before the word "who".

5. In line 8 of Section 1 of the printed bill (original bill, page 2, line 8), insert a comma (",") after the word "person" and before the word "as".

6. In line 3 of Section 2, printed bill (original bill, page 2, line 3), strike out the word "and" and insert in lieu thereof the word "or".

7. In lines 6 and 7, Section 2, printed bill (original bill, page 2, lines 6 and 7), strike out the words "any other country with which the United States is at war in the future;" and insert, in lieu thereof, the following:

> "also any other foreign country as to which the United States may declare the existence of a state of war in the future, from and after the date of such declaration;"

8. Section 2, line 10, printed bill (original bill, page 2, line 10), insert the words "declaration of the" after the word "the" and before the word "existence".

LEGISLATIVE BILL 29. Placed on Select File with amendments.

E and R amendments to L. B. 29:

1. Amend Standing Committee Amendment No. 1, in the 10th and 11th lines thereof, by striking the words **"state treasurer"** and inserting, in lieu thereof, the following: **"State Treasurer".**

2. Amend Standing Committee Amendment No. 1, line 4, by inserting a comma (",") after the word **"Provided"** and before the word **"however".**

3. Amend Standing Committee Amendment No. 1 by underscoring the 4th line thereof and all subsequent lines, to the end of said amendment.

4. Amend the printed bill, second line of the title (original bill, page 1, second line of title), by striking out the word "for" and insert in lieu thereof, a comma (",").

5. In the 8th and 9th lines of the title of the printed bill (original bill, page 1, 8th and 9th lines of the title), strike out the following: ", and" and insert, in lieu thereof, a semicolon (";").

6. Amend the printed bill, Section 1, line 2 (original bill, page 2, line 2) by striking out the word "for" after the word "Nebraska" and before the figures "1929", and insert, in lieu thereof, a comma (",").

7. Amend the printed bill, Section 1, line 5 (original bill, page 2, line 5), by striking the words "Public Works" and inserting in lieu thereof,

"~~Public Works~~ **Roads and Irrigation".**

8. Amend the printed bill, Section 1, line 9, also line 14 (original bill, page 2, lines 9 and 14), by striking out the words "State Highway System", and inserting in lieu thereof, the following: "~~State Highway System~~ **state highway system".**

9. Amend the printed bill, Section 1, lines 10 and 13 (original bill, page 2, lines 10 and 13), by striking out the word "department" and insert in lieu thereof, the following: "~~Department~~ **department".**

10. Amend printed bill, Section 1, line 12 (original bill, page 2, line 12), by striking out the words "county board", and insert, in lieu thereof, the following:

"~~County Board~~ **county board".**

11. Amend printed bill, Section 1, line 18 (original bill, page 2, lines 18 and 19) by striking out the following: "State Highway Fund. ~~provided~~" and inserting, in lieu thereof, the following:

"~~State Highway Fund. Provided~~ state highway fund."

12. Amend the printed bill, Section 1, line 19 (original bill, page 2, line 19), by striking "75 per cent" and inserting in lieu thereof, the following: "~~seventy five per cent (75%)~~ 75 per cent".

13. Amend the printed bill, Section 1, lines 20 and 21 by striking out the following: ". ~~provided further that after January 1, 1926~~ Thirty per cent", and which appears on page 2, lines 20 and 21 of the original bill as ": ~~provided further that after January 1, 1926~~ Thirty per cent", and insert, in lieu thereof, the following words and punctuation, to-wit:

"~~; Provided, further, that after January 1st, 1926, thirty per cent (30%)~~ . Thirty per cent".

14. Amend the printed bill, Section 1, line 22 (original bill, page 2, line 22), by striking out "as ~~aforesaid~~" and inserting in lieu thereof, "~~as aforesaid~~,".

15. Amend the printed bill, Section 1, line 23 (original bill, page 2, line 23) by striking out the words "county treasurers" and inserting, in lieu thereof, the following: "~~County Treasurers~~ county treasurers".

16. Amend the printed bill, Section 1, line 25 (original bill, page 2, line 25), by striking out the words "State Highway Fund" and inserting, in lieu thereof, the following: ~~State Highway Fund~~ state highway fund".

17. Amend the printed bill, Section 1, line 27 (original bill, page 2, line 27) by striking out the words "State Highway System;" and inserting, in lieu thereof, the following:

"state highway system ~~.~~ ;"

18. Amend printed bill, Section 2, line 2 (original bill, page 3 line 2) by striking out the word "for" after the word "Nebraska" and before the figures "1929", and insert, in lieu thereof, a comma (",").

LEGISLATIVE BILL 34. Placed on Select File with amendments.

E and R amendments to L. B. 34:

1. Amend Section 1, lines 7 and 8, of the printed bill (original bill, page 2, lines 7 and 8), by striking the words "on forms to be

prescribed by the department, made under oath from such person, firm or corporation." and substitute, in lieu thereof, the following:

> **"made under oath, on forms to be prescribed by the Department of Banking."**

2. Amend Section 2, line 2, of the printed bill (original bill, page 2, line 2), by striking the word "hereby".

LEGISLATIVE BILL 39. Placed on Select File with amendments.

E and R amendments to L. B. 39:

1. Amend Section 1, line 3, of the printed bill (original bill, page 2, line 3), by striking the word "For" and insert, in lieu thereof, the following:

> "for **For"**

2. In line 8 of Section 1 of the printed bill (original bill, page 2, line 8), insert a comma (",") after **"Supp."** and before the figures **"1941"**.

3. In line 2 of Section 2 of the printed bill (original bill, page 2, line 2), strike out the word "hereby".

(Signed) James H. Anderson, Chairman.

RESOLUTIONS

Mr. Jeppesen asked unanimous consent to have Legislative Resolution 3 laid over. No objection was raised.

So ordered.

MOTION—Investigation of Expense in Irrigation Rights

Mr. President: I move that a special committee of three be appointed to investigate and report back to this body the amounts of money expended from state funds; the persons to whom paid and the reasons therefor, in connection with the protection of irrigation rights of the North Platte district and the Republican River compact.

(Signed) Osborne.

The motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 152. By Thompson of Nance and Rakow of Antelope.

A bill for an act to amend section 17-433, Compiled Statutes of Nebraska, 1929, relating to powers of cities of the second class and villages; providing that cities of the second class and villages may construct as well as repair sidewalks and assess the expense thereof on the property in front of which such construction and repairs are made; providing that the method of constructing sidewalks under this section shall be cumulative; and to repeal the original section.

LEGISLATIVE BILL 153. By Raecke of Merrick, Gantz of Box Butte and Matzke of Seward.

A bill for an act relating to cities of the first class having more than five thousand and less than twenty-five thousand, inhabitants, cities of the second class and villages; to provide for the making and adoption of an annual budget to cover all expenditures and anticipated income of the municipality for each fiscal year, beginning in 1944; to provide for published notice of and public hearing on said annual budget; to provide for the appropriation of the funds to be raised under said budget to the expenses and for the purposes of the municipality; to provide for the amount of the appropriation in the event of the failure of the appropriating body to act; to prohibit contracts and expenditures not provided for in said budget; to provide for additional appropriations and temporary loans in cases of emergencies and for payment thereof by a tax levy or otherwise; to provide penalties and liabilities for violation of said act; and to repeal or supersede all other acts or parts of acts not in conformity with the provisions of this act.

LEGISLATIVE BILL 154. By Raecke of Merrick.

A bill for an act to amend section 77-1803, Compiled Statutes of Nebraska, 1929, relating to certification by municipal corporations, townships and districts authorized to assess taxes for municipal and school purposes to the county clerk of the amounts required to be raised by taxation; providing that certification shall be made annually on or before July 15; and to repeal the original section.

LEGISLATIVE BILL 155. By Sorrell of Otoe.

A bill for an act to amend section 39-601, Compiled Statutes of Nebraska, 1929, relating to road districts and road overseers; to provide that the county board may abolish road districts and road overseers, and when abolished, to make the county board responsible for the care and maintenance of such roads; and to repeal the original section.

LEGISLATIVE BILL 156. By Klaver of Douglas and Gantz of Box Butte.

A bill for an act to amend section 48-121, Compiled Statutes of Nebraska, 1929, as amended, and sections 48-122, 48-136, 48-140, 48-141, 48-170 and 48-174, C. S. Supp., 1941, relating to Workmen's Compensation; to provide for maximum benefits for disability; to provide for method of settlement; to provide for increase in salaries of judges and clerk; to provide for procedure in hearings before Workmen's Compensation Court and for appeals to and hearings in the District Courts; and to repeal the original sections.

LEGISLATIVE BILL 157. By Craven of Lancaster.

A bill for an act to amend section 31-629, Compiled Statutes of Nebraska, 1929, relating to sanitary drainage districts; to provide that the Auditor of Public Accounts shall cause the books of account of such districts to be examined and audited; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 158. By Gantz of Box Butte, by request.

A bill for an act to amend section 39-11,100 C. S. Supp., 1941, relating to rules of the road for vehicles; to provide for maximum fine upon a first conviction; and to repeal the original section.

LEGISLATIVE BILL 159. By Gantz of Box Butte, by request.

A bill for an act to amend section 28-528, Compiled Statutes of Nebraska, 1929, relating to stealing of automobiles or motorcycles; to provide that the wrongful taking of automobiles or motorcycles out of the county where situated without owner's consent shall be prima facie evidence of intent to steal; and to repeal the original section.

LEGISLATIVE BILL 160. By Gantz of Box Butte, by request.

A bill for an act to amend section 53-338, C. S. Supp., 1941, relating to liquor control; to prohibit the sale of liquor to minors, persons who are mentally incompetent, or any person who is physically or mentally incapacitated by the consumption of such liquors; to provide a penalty therefor; and to repeal the original section.

LEGISLATIVE BILL 161. By Craven of Lancaster.

A bill for an act to amend section 48-152, Compiled Statutes of Nebraska, 1929, as amended, relative to Workmen's Compensation; to define the term "employers of farm laborers"; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 162. By Craven of Lancaster, and Peterson of Lancaster.

A bill for an act to repeal section 20-2212, Compiled Statutes of Nebraska, 1929, relating to preparation of copies of dockets by the clerk of the district court.

LEGISLATIVE BILL 163. By Peterson of Lancaster, Craven of Lancaster and Heiliger of Lancaster.

A bill for an act to amend section 33-110, Compiled Statutes of Nebraska, 1929, relating to fees and salaries; to fix the annual salaries of bailiffs appointed by judges of the district courts in counties having a population of more than sixty thousand inhabitants and less than one hundred twenty-five thousand inhabitants; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 164. By Heiliger of Lancaster.

A bill for an act to amend sections 71-2103 and 71-2107, Compiled Statutes of Nebraska, 1929, and section 71-2108, C. S. Supp., 1941, relating to the practice of cosmetology; to provide the time for practice of an apprentice; to provide that the Board of Cosmetologist Examiners may enter into reciprocal agreements; to provide schedule of fees for renewal of certificate of registration and restoration of an expired certificate; and to repeal the original sections.

LEGISLATIVE BILL 165. By Craven of Lancaster.

A bill for an act to amend section 29-302, Compiled Statutes of Nebraska, 1929, relating to criminal procedure; to provide for trial of complaints to keep the peace in municipal court or county court; to provide for peace bond to be given; and to repeal the original section.

LEGISLATIVE BILL 166. By Peterson of Lancaster, Conklin of Thayer, and Greenamyre of Madison.

A bill for an act to create and establish the Nebraska Council for Development of Agricultural Industry; to provide for the appointment and terms of the members thereof; to authorize the employment of a director, assistants and employees; to prescribe the powers and duties of the council; to provide an appropriation; and to declare an emergency.

LEGISLATIVE BILL 167. By Dooley of Sarpy, Gantz of Box Butte, and Mueller of Buffalo.

A bill for an act to amend sections 19-901, 26-105, 26-149, 26-151, 26-152, 81-7601, 81-7602, 81-7603, 81-7604, 81-7605, 81-7606, C. S. Supp., 1941, relating to powers conferred upon the state zoning agency; providing that the state zoning agency shall be administered by the Department of Roads and Irrigation; making village, city or county zoning mandatory when included in a zoning district as established by the agency; empowering counties to adopt zoning resolutions through their own initiative; authorizing the state zoning agency to assist villages, cities or counties in the preparation of a zoning program; prescribing procedure for changes in zoning regulations by governmental subdivisions included within a zoning district and fixing a time limit for adoption; prescribing procedure for airport zoning and requiring governmental subdivisions to send regulations as adopted to all property owners within the zoned area and defining terms; and to repeal said original sections.

LEGISLATIVE BILL 168. By Lee of Dodge, Burnham of Custer, and Peterson of Lancaster.

A bill for an act to amend section 81-6510, C. S. Supp., 1941, relating to the Game, Forestation and Parks Commission; to provide the qualifications of the secretary of such commission; and to repeal the original section.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading)

L. B.	Introducer	Committee Reference
141	Heiliger	Appropriations
142	Osborne	Government
143	Judiciary Committee by Gantz, Chairman	Judiciary
144	Judiciary Committee by Gantz, Chairman	Judiciary
145	Judiciary Committee by Gantz, Chairman	Judiciary

146	Hubka	Revenue
147	Garber	Revenue
148	Rakow, Hanna	Revenue
149	Ogden, et al	Public Health and Misc. Subs.
150	Doyle	Public Health and Misc. Subs.
151	Greenamyre	Appropriations

GENERAL FILE

LEGISLATIVE BILL 3. Passed over. Retains place on File.

LEGISLATIVE BILL 20. Passed over. Retains place on File.

LEGISLATIVE BILL 23. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 10. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Tenth Day, were adopted.

Laid over. Retains place on file.

LEGISLATIVE BILL 42. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Eleventh Day, were adopted.

Referred to E and R for review.

Visitor

Mr. Doyle introduced Mr. John Havekost, a former member, who addressed the Legislature briefly.

Adjournment

At 11:47 a.m. Mr. Norman moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Thursday.

The motion prevailed with 38 ayes, no nays, 5 not voting.

Hugo F. Srb
Clerk of the Legislature.

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, January 21, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Twelfth Day was approved.

Invitations

A letter was read extending an invitation to the members of the Legislature to attend a showing of Dr. Hancock's pictures of the Kenny treatment on Thursday afternoon, January 21, in connection with the infantile paralysis drive.

An invitation was extended to the members of the Legislature to attend the basket ball game at the University at 8:00 p. m. Thursday, January 21, 1943.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 54, Friday, January 29, 1943, 2 p.m.

L. B. 56, Friday, January 29, 1943, 2 p.m.

L. B. 61, Friday, January 29, 1943, 2 p.m.

L. B. 62, Friday, January 29, 1943, 2 p.m.

Judiciary

L. B. 49,	Friday, January 29, 2 p.m. (Continued)
L. B. 50,	Friday, January 29, 2 p.m. (Continued)
L. B. 65,	Friday, January 29, 2 p.m. (Continued)
L. B. 63,	Friday, January 29, 2 p.m. (Continued)
L. B. 107,	Monday, February 1, 2 p.m.

STANDING COMMITTEE REPORTS

Revenue

Mr. President: Your Committee on Revenue reports that at its first meeting, on January 6, 1943, Elmer C. Rakow was elected vice chairman.

(Signed) Raecke, Chairman.

Government

LEGISLATIVE BILL 5. Placed on General File.

LEGISLATIVE BILL 30. Placed on General File.

(Signed) Doyle, Chairman.

Public Works

LEGISLATIVE BILL 86. Placed on General File.

(Signed) Mischke, Chairman.

Public Health & Miscellaneous Subjects

LEGISLATIVE BILL 25. Placed on General File with amendments.

Standing Committee amendments to L. B. 25:

1. Strike the word "and" and insert a ";" instead of a "." after the word "section" in line 12 of the title and insert the following "and to declare an emergency".

2. Amend the bill by adding after Sec. 2 the following: "Since an emergency exists, this Act shall take effect and be in full force from and after its passage and approval, according to law."

(Signed) Foster, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 169. By Carmody of Hitchcock, Mueller of Buffalo and Crosby of Lincoln.

A bill for an act to amend section 81-6503, Compiled Statutes of Nebraska, 1929, relating to the Game, Forestation and Parks Commission; to provide that the commission may meet at any designated place within the state when a majority of the members of the commission may agree in writing thereto; and to repeal the original section.

LEGISLATIVE BILL 170. By Crossland of Wayne.

A bill for an act to amend sections 16-664 and 17-549, Compiled Statutes of Nebraska, 1929, relating to sewers; providing that the mayor and city council of cities of the first class, cities of the second class, and board of trustees of villages, shall have power to establish, by ordinance, fair and reasonable rates to persons served by the sewer; and to repeal the original sections.

LEGISLATIVE BILL 171. By James H. Anderson of Scotts Bluff.

A bill for an act to amend section 46-111, C. S. Supp., 1941; to provide that irrigation districts may authorize the conveyance of property by resolution duly adopted by the board of directors of such district; to provide that property purchased by the district at tax sale shall in no case be sold for less than the amount bid by the district at the tax foreclosure sale; and to repeal the original section.

LEGISLATIVE BILL 172. By James H. Anderson of Scotts Bluff.

A bill for an act to amend sections 32-1118, 32-1119 and 32-1121, Compiled Statutes of Nebraska for 1929, relating to primary elections; to eliminate therefrom the provisions for the nomination and election of members of the national committees of the several parties; and to repeal the original sections.

LEGISLATIVE BILL 173. By Mueller of Buffalo, Carmody of Hitchcock, and Crosby of Lincoln.

A bill for an act relating to game and fish; to provide that the Game, Forestation and Park Commission may establish special permits for the taking of protected species of game when such species become prevalent enough to allow a limited season; and to prescribe that such special permits be limited as provided by regulations of the commission and disposed of in an impartial manner.

LEGISLATIVE BILL 174. By Carmody of Hitchcock, Mueller of Buffalo and Hanna of Cherry.

A bill for an act to amend sections 37-101, 37-202, 37-204, 37-212, 37-301, 37-305, 37-306, 37-309, and 37-501, C. S. Supp., 1941, and sections 37-410, 37-413, 37-503 and 37-506, Compiled Statutes of Nebraska, 1929, relating to game and fish; to provide regulations covering the manner of taking, storing, selling and transporting game and fish; to provide for the issuance of permits and authorizing the collection of fees therefor; to prescribe penalties; and to repeal the original sections.

LEGISLATIVE BILL 175. By Burnham of Custer.

A bill for an act to amend section 32-1108, C. S. Supp., 1941, relating to nomination of candidates for petition; to provide that the time for filing of certificate of nomination for an office to be filled in a city of the second class or village shall be at least twenty days prior to election instead of ten days; and to repeal the original section.

LEGISLATIVE BILL 176. By Hubka of Gage.

A bill for an act relating to the lending of money; to amend sections 45-101, 45-131, 45-132, 45-143, 45-144, 45-146, and 45-155, C. S. Supp., 1941; to define and regulate the business of making small loans; to limit the maximum size loan which may be made; to prescribe maximum rates of charge which licensees are permitted to make; to limit the time for which such loans may be made; to require the release and return to the borrower, at the time a loan is paid, of documents relating to the loan; to provide penalties for violations; and to repeal the original sections above set forth and also section 45-148, C. S. Supp., 1941.

LEGISLATIVE BILL 177. By Thomas of Clay.

A bill for an act specifically to appropriate the sum of $10,114.33 or so much thereof as may be necessary out of the general fund of the State of Nebraska to pay the premiums on the official bonds of State Treasurer and Deputy State Treasurer and such other employees in the State Treasurer's office from whom bonds are required by law for the term commencing January 7, 1943; to pay premiums for burglary and robbery insurance and on messenger insurance in connection with the office of the State Treasurer for a period ending January 5, 1945; and to declare an emergency.

LEGISLATIVE BILL 178. By Lee of Dodge.

A bill for an act to amend section 24-1210, C. S. Supp., 1941, relating to change of registration of agents of nonresident corporations; to provide for resignation of such agents; to provide that upon failure of the nonresident corporation to appoint another agent, service of process may be made upon the Secretary of State as agent of the corporation; and to repeal the original section.

LEGISLATIVE BILL 179. By Committee on Public Works, Martin J. Mischke of Knox, Chairman.

A bill for an act to amend sections 39-1033, 39-1035 and 60-307, C. S. Supp., 1941, relating to maximum weight loads of motor vehicles on the highways; to provide for an increase in the maximum of gross wheel and axle loads of motor vehicles permitted; to provide until March 1, 1945, for an increase in the gross weight of motor vehicles or combinations thereof according to a formula prescribed; to provide until March 1, 1945 for numbering on motor vehicle plates of carrying capacities of motor vehicles in excess of fourteen tons to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 180. By Greenamyre of Madison.

A bill for an act to amend section 79-2101, C. S. Supp., 1941, relating to schools; to provide for the transfer of children of school age from one district to another for school purposes; to prescribe the procedure therefor; to provide for free high school education at the expense of the district to which the transfer is made where, in the same family, there are children of school age who have not completed the eighth grade and also children who desire to attend high school; to provide for cancellation of transfer by the county superintendent where privilege of transfer is improperly used; and to repeal the original sections.

LEGISLATIVE BILL 181. By Gantz of Box Butte, by request.

A bill for an act to amend section 28-930, Compiled Statutes of Nebraska, 1929, relating to public morals; to prohibit any person over seventeen years of age from taking or attempting to take any immoral, improper or indecent liberties with any minor under twenty-one years of age; to provide a penalty therefor; and to repeal the original act.

LEGISLATIVE BILL 182. By Gantz of Box Butte, by request.

A bill for an act to amend section 17-401, C. S. Supp., 1941, relating to powers of cities of the second class and villages; to provide that cities of the second class or villages may sell real estate without passage of ordinance and publication of notice where the real estate was acquired at tax foreclosure sale and the sale price is less than one thousand dollars; and to repeal the original section.

LEGISLATIVE BILL 183. By Sorrell of Otoe.

A bill for an act to amend section 33-131, Compiled Statutes of Nebraska, 1929, relating to salaries of clerks and deputy county clerks; to provide for salaries of clerks and deputy county clerks in counties having more than six thousand five hundred population and less than twenty-five thousand population, and of deputy county clerks in counties having more than twenty-five thousand population and less than sixty thousand population; and to repeal the original section.

LEGISLATIVE BILL 184. By Gutoski of Douglas and Tvrdik of Douglas.

A bill for an act relating to county government and officers; to amend section 26-105, C. S. Supp., 1941, and section 26-706, Compiled Statutes of Nebraska, 1929; to require all counties in the State of Nebraska having a population of two hundred thousand or more, to employ or designate and compensate county purchasing agents; to prescribe the powers and duties of said agents when so employed or designated; to provide the manner in which purchases for said county and its officers shall be made; to provide for perpetual inventory of county property by county clerk; to repeal said original sections; to provide penalties for violation thereof; and to declare an emergency.

LEGISLATIVE BILL 185. By Crosby of Lincoln, Gantz of Box Butte, and Matzke of Seward.

A bill for an act to amend section 83-910, Compiled Statutes of Nebraska, 1929, relating to prison labor; to authorize the Board of Control to enter into contracts for the production and sale of "war articles" and to use prison labor in making "war articles"; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 186. By Peterson of Lancaster.

A bill for an act to correct the original plat of the city of Lincoln, Nebraska, and to authorize the Board of Commissioners for Educational Lands and Funds designated by Section 1, Article VII of the Constitution of the State of Nebraska, to convey to the city of Lincoln, Nebraska, a municipal corporation, by quit claim deed, premises lying between First Street in the city of Lincoln, Nebraska, as originally platted, and the west boundary line of Sections Twenty-three and

Twenty-six in Township Ten North, Range Six East of the Sixth P.M., Lancaster County, Nebraska.

BILLS ON SECOND READING

The following bills were read the second time by title:

(For titles see Bills on First Reading.)

L.B.	Introducer	Committee Reference
152	Thompson	Public Works
153	Raecke, et al	Government
154	Raecke	Revenue
155	Sorrell	Public Works
156	Klaver, Gantz	Judiciary
157	Craven	Revenue
158	Gantz, by request	Public Works
159	Gantz, by request	Public Health and Misc. Subs.
160	Gantz, by request	Public Health and Misc. Subs.
161	Craven	Labor and Public Welfare
162	Craven, Peterson	Judiciary
163	Peterson, et al	Public Health and Misc. Subs.
164	Heiliger	Public Health and Misc. Subs.
165	Craven	Judiciary
166	Peterson, et al	Agriculture
167	Dooley, et al	Public Works
168	Lee	Agriculture

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 1.

Legislative Resolution 2.

GENERAL FILE

LEGISLATIVE BILL 3. Passed over.

LEGISLATIVE BILL 20. Mr. Reavis offered the following amendments, which were adopted:

1. To strike the last three lines of the title and insert in lieu thereof: "and to suspend original section 66-819, and, also sections 66-701 and 66-818, C. S. Supp., 1941, until March 1, 1945."

2. Amend page 2 of the bill, section 1, line 1, by inserting after the word "That" the following: "until March 1, 1945,".

3. Amend page 2 of the bill, section 2, line 3, by striking the last line and inserting in lieu thereof: "suspended until March 1, 1945.".

Mr. Doyle offered the following amendments, which were adopted:

Sec. 1, line 11, change the word 12 to 14

line 14, change the word 12 to 14

line 16, change the word 12 to 10.

Mr. Raecke offered the following amendments, which were adopted:

Amend the title, line 6, by striking the figure "21" and inserting in lieu thereof the figure "16" and by striking the figure "60" and inserting in lieu thereof the figure "65".

Mr. Reavis moved that the Committee on Enrollment and Review be directed to amend the title of L. B. 20 to conform to the provisions and the amendments of the bill.

The motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL 10. Mr. Matzke offered the following amendments, which were adopted:

Sec. 1. After the word "standards" in line 5 insert "in keeping with the National Electrical Code as approved by the American Standards Association".

Sec. 2. Strike all of said section after the word "thereto." in line 6, and insert in lieu thereof: "Inspections provided for under this act shall be made only at the request of the owner or occupant of the premises where such electrical equipment or wiring has been installed."

Mr. Matzke moved that the title of L. B. 10 be amended to conform to the bill.

Mr. Doyle moved to strike the enacting clause.

After discussion Mr. James H. Anderson moved the previous question.

The President put the question: "Shall the debate now close?"

The motion prevailed with 28 ayes, 10 nays, 5 not voting.

The President put the question to strike the enacting clause.

Which motion was lost with 10 ayes, 20 nays, 13 not voting.

Mr. Matzke's motion to amend the title was restated and was adopted.

Mr. Crosby moved that L. B. 10 be recommitted to the Committee on Public Works.

The motion prevailed.

Adjournment

At 12:29 p.m., on motion by Mr. Mischke, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 22, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Thirteenth day was approved.

Communications

A letter was read from S. Edward Gilbert of Omaha, advising that in behalf of the Negroes of Nebraska he would be pleased to deliver an address before the Legislature on the life of George Washington Carver.

Mr. Foster moved that Mr. Gilbert be invited to speak before the Legislature on February 12, Lincoln's Birthday, and that the Chaplain make the necessary arrangements for an appropriate program on that date.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 132, January 28, 1943, 2:00 p. m.

L. B. 133, January 28, 1943, 2:00 p. m.

L. B. 134, January 28, 1943, 2:00 p. m.

Revenue

L. B. 129, Tuesday, February 9, 1943, 2:00 p. m.
L. B. 146, Tuesday, February 9, 1943, 2:00 p. m.
L. B. 137, Thursday, February 11, 1943, 2:00 p. m.
L. B. 147 Thursday, February 11, 1943, 2:00 p. m.
L. B. 148 Tuesday, February 16, 1943, 2:00 p. m.

Public Works

L. B. 130, Friday, January 29, 1943, 2:00 p. m.
L. B. 136, Friday, January 29, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 44. Placed on General File with amendment.

Standing Committee amendment to L. B. 44:

Amend the bill by adding the name Elmer C. Rakow of Antelope as co-introducer.

LEGISLATIVE BILL 45. Placed on General File.

LEGISLATIVE BILL 93. Indefinitely postponed.

(Signed) Raecke, Chairman

Committee Appointed

The President announced that he had appointed the following members to serve on the committee for investigation of expense of irrigation rights of the North Platte district and the Republican River compact:

Tom C. Osborne, Chairman Arthur Carmody James H. Anderson.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 187. By Sorrell of Otoe.

A bill for an act to amend section 19-801, Compiled Statutes of Nebraska, 1929, relating to aviation fields; to authorize any city of the metropolitan class, city of the first class, or city of the second class to acquire by lease for a term not to exceed twenty-five years, the necessary land within or without such city for the purpose of establishing an aviation field; and to repeal the original section.

LEGISLATIVE BILL 188. By Gantz of Box Butte, by request.

A bill for an act to amend section 79-524, C. S. Supp., 1941, relating to schools; specifically to appropriate, for the biennium ending June 30, 1945, the sum of twenty thousand dollars, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy, or marine corps, on duty in the State of Nebraska; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 189. By Gantz of Box Butte, by request.

A bill for an act to amend section 30-611, Compiled Statutes of Nebraska, 1929, relating to decendents estates; to provide a remedy for extention of time for payment of debts and legacies after three years have elapsed from the appointment of an executor or administrator, and to repeal the original section.

LEGISLATIVE BILL 190. By Gantz of Box Butte, by request.

A bill for an act to amend section 77-2046, Compiled Statutes of Nebraska, 1929, relating to revenue and taxation; to provide that where any tract or lot of land sold at tax foreclosure sale is bid in by a governmental or municipal subdivision and does not sell for enough to pay all taxes due thereon, with interest and costs, the tract or lot of land shall be relieved not only of the lien of taxes for which it was sold, but also the lien of all subsequent taxes which have accrued up to the date of confirmation of sale; and to repeal the original section.

LEGISLATIVE BILL 191. By Hubka of Gage and Crosby of Lincoln.

A bill for an act relating to the powers of counties; to provide that county boards may, in their discretion, appropriate from and pay out of the general fund of the county such amount as the county board may determine, to aid and assist county civilian defense committees in carrying out such activities as such committees may undertake under the direction and supervision of the Nebraska Advisory Defense Committee; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 192. By Hubka of Gage.

A bill for an act to amend section 66-814, C. S. Supp., 1941, relating to permits to transport motor vehicle fuels, kerosene, distillate or other petroleum products of a highly inflammable character on the highways of this state; to reduce the fee for such permits from ten dollars to two dollars; and to repeal the original section.

LEGISLATIVE BILL 193. By Asimus of Holt.

A bill for an act to amend section 60-421, C. S. Supp., 1941, relating to motor vehicles; to provide that when a member of the safety patrol is in uniform he shall have the power to stop loaded trucks when there has been an actual violation of any provisions of law regulating the operation of vehicles, but not for investigation of truck or for investigation or questioning of driver until truck has reached its destination in Nebraska, or until truck reaches state line if leaving the state; and to repeal the original section.

LEGISLATIVE BILL 194. By Conklin of Thayer and Crosby of Lincoln.

A bill for an act to amend section 66-812, C. S. Supp., 1941, relating to the definition of terms pertaining to the transportation of motor vehicle fuels, as defined by the laws of this state, kerosene, distillate, and other petroleum products of a highly inflammable character; to provide for the definition of the term "vehicle"; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 195. By Peterson of Lancaster.

A bill for an act to amend sections 31-630 and 31-631, C. S. Supp., 1941, relating to the discontinuance of the activities of sanitary drainage districts; to provide procedure by petition of qualified voters for effecting such discontinuance; and to repeal the original sections.

LEGISLATIVE BILL 196. By Committee on Banking, Commerce and Insurance, by Peterson of Lancaster, Chairman.

A bill for an act to authorize the Department of Banking to sell, abandon, or otherwise dispose of property and assets acquired by it from the former Guarantee Fund Commission of the State of Nebraska, and all judgments and claims for stockholders' liability acquired by the department for the benefit of the former Depositors Guaranty Fund.

LEGISLATIVE BILL 197. By Peterson of Lancaster.

A bill for an act to amend section 48-702 (a) and (c), C. S. Supp., 1941, relating to labor and to the Placement and Unemployment Insurance Law; to amend the definition of base period and benefit year as used in the Placement and Unemployment Insurance Law; to extend the benefit rights of individuals in military service; to repeal all acts in conflict therewith; and to declare an emergency.

LEGISLATIVE BILL 198. By Peterson of Lancaster.

A bill for an act to amend section 48-705, C. S. Supp., 1941, relating to labor and unemployment compensation; to redefine qualifications and disqualifications to receive benefits under the Placement and Unemployment Insurance Law; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 199. By Rakow of Antelope and Thompson of Nance.

A bill for an act to amend section 77-201, Compiled Statutes of Nebraska, 1929, relating to revenue and taxation; to fix and determine the basis of arriving at the actual value of all property subject to taxation so as to include every element and factor affecting the actual value thereof; to repeal the original section, and also section 77-201, C. S. Supp., 1941; and to declare an emergency.

LEGISLATIVE BILL 200. By Lee of Dodge and Hubka of Gage.

A bill for an act relating to the organization of County 4-H Club Fair Associations; to authorize said associations to maintain a 4-H Club Fair, to purchase, hold and improve real estate for that purpose, to convey the same; to authorize counties to levy and collect taxes for the purpose of contributing to the premiums given by such fairs; to provide that the counties may make contributions in addition to contributions made to county fairs or county agricultural societies; to amend sections 2-201 and 2-220, Compiled Statutes of Nebraska, 1929; and to repeal the original sections.

MOTION—To Suspend Rules and Refer

Mr. President: I move that the rules be suspended and that the bills in order for second reading during this morning be referred to committees by number and the name of the introducer, without second reading.

(Signed) Mekota.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Referred to Standing Committees

Bills on second reading were referred as follows:

L. B.	Introducer	Committee Reference
169	Carmody, et al	Agriculture
170	Crossland	Public Works
171	Anderson, James H.	Public Works
172	Anderson, James H.	Government
173	Mueller, et al	Agriculture
174	Carmody, et al	Agriculture
175	Burnham	Government
176	Hubka	Banking, Com. & Ins.
177	Thomas	Public Health & Misc. Subs.
178	Lee	Banking, Com. & Ins.
179	Public Works Committee By Mischke, Chairman	Public Works
180	Greenamyre	Education
181	Gantz, by request	Public Health & Misc. Subs.
182	Gantz, by request	Government
183	Sorrell	Government
184	Gutoski, Tvrdik	Public Health & Misc. Subs.
185	Crosby, et al	Labor & Public Welfare
186	Peterson	Education

STANDING COMMITTEE REPORT

Committee on Committees

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Mr. Frank Brady	Tax Commissioner
Mr. Wardner Scott	State Engineer
Mr. C. C. Fraizer	Director, Department of Insurance
Mr. Wade R. Martin	Director, Department of Banking
Dr. C. A. Selby	Director, Department of Health

Mr. O. M. Olsen	Commissioner of Labor
Mr. Rufus Howard	Director, Department of Agriculture
Mr. Neil C. Vandemoer	Director of Assistance
Mr. Golden P. Kratz	Board of Control
Mr. Ralph Cox	Board of Control
Mr. C. W. Willey	Board of Control
Mr. H. H. Bartling	Education Lands and Funds

(Signed) Charles F. Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature, and that each appointment be voted on separately.

(Signed) Tvrdik

The motion prevailed.

Vote on Mr. Brady

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Norman

Having received a majority of the votes of all members, the President declared the appointment of Mr. Brady confirmed.

Vote on Mr. Scott

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Cullingham
Dooley
Doyle
Jeffords
Jeppesen
Klaver
Osborne
Peterson
Raecke

Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Norman

Having received a majority of the votes of all members, the President declared the appointment of Mr. Scott confirmed.

Vote on Mr. Fraizer

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Norman

Having received a majority of the votes of all members, the President declared the appointment of Mr. Fraizer confirmed.

Vote on Mr. Martin

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Carmody
Norman
Osborne
Sorrell

Having received a majority of the votes of all members, the President declared the appointment of Mr. Martin confirmed.

Vote on Dr. Selby

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Carmody
Craven
Osborne
Sorrell

Having received a majority of the votes of all members, the President declared the appointment of Dr. Selby confirmed.

Vote on Mr. Olsen

Voting in the affirmative, 41:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Carmody
Anderson, James H.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Olsen confirmed.

Vote on Mr. Howard

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Howard confirmed.

Vote on Mr. Vandemoer

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Carmody
Craven
Dooley
Hanna
Mischke
Mueller

Having received a majority of the votes of all members, the President declared the appointment of Mr. Vandemoer confirmed.

Vote on Mr. Kratz

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Kratz confirmed.

Vote on Mr. Cox

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Cox confirmed.

Vote on Mr. Willey

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Carmody
Osborne

Having received a majority of the votes of all members, the President declared the appointment of Mr. Willey confirmed.

Vote on Mr. Bartling

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

Having received a majority of the votes of all members, the President declared the appointment of Mr. Bartling confirmed.

Statement for Journal

Mr. President: Had I been present I would have voted for the confirmation of Mr. Brady, Mr. Scott, Mr. Fraizer and Mr. Martin.

(Signed) Norman

GENERAL FILE

Mr. Mischke presiding

LEGISLATIVE BILL 3. Passed over. Placed at foot of General File.

LEGISLATIVE BILL 33. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 28. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Mr. Cullingham offered the following amendment, which was adopted:

Amend Section 4, line 7 by inserting after the word "employee" the words "from the university".

Unanimous consent was granted to add the names of Charles F. Tvrdik, William J. Norman, Sam Klaver and Cliff N. Ogden as co-introducers.

Mr. Cullingham moved to refer the bill to E and R for review.

Mr. Garber moved to postpone the bill indefinitely.

After discussion Mr. Cullingham moved the previous question.

The Chair put the question: "Shall the debate now close?"

The motion prevailed with 24 ayes, no nays, 19 not voting.

Vote was taken thereon and Mr. Garber's motion was lost.

Mr. Crosby offered the following amendment, which was adopted:

Amend Sec. 1, line 3, by inserting after the word "may" the words "in its discretion".

Mr. Cullingham's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL 24. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 90. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Mr. Doyle offered the following amendment, which was adopted:

Amend Sec. 1 by adding "Greeley" before the word "Hayes" and amend the title by adding the word "Greeley".

Mr. Hanna offered the following amendment, which was adopted:

Amend the bill and title so that Valley County be added to the brand area.

Referred to E and R for review.

LEGISLATIVE BILL 73. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Mr. Mueller offered the following amendment, which was adopted:

Amend Section 1, line 9 by striking the word twenty and inserting in lieu thereof the words two thousand.

Unanimous consent granted to lay the bill over. Retains place on File.

LEGISLATIVE BILL 99. Laid over. Placed at foot of General File.

LEGISLATIVE BILL 5. Read and considered.

Mr. Raecke offered the following amendment, which was adopted:

Amend Sec. 5, line 8 by striking the word "appropriations" and inserting the words "Claims and Deficiencies".

Mr. Peterson moved to refer to E and R for review.

Mr. Sorrell moved to postpone indefinitely.

The motion was lost with 6 ayes, 24 nays, 13 not voting.

Mr. Peterson's motion prevailed with 31 ayes, 6 nays, 6 not voting.

Referred to E and R for review.

Adjournment

At 12;36 p. m. Mr. Weborg moved that the rules be suspended and that the Legislature adjourn until 10:00 a. m. Monday, January 25, 1943.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 25, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Peterson and Mr. Rakow, who were excused.

The Journal for the Fourteenth Day was approved.

PETITIONS AND MEMORIALS

Mr. James H. Anderson introduced a petition favoring L. B. 40 and L. B. 41.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 115, Tuesday, February 2, 1943, 2:00 p.m.

Government

L. B. 68, Wednesday, February 3, 1943, 2:00 p.m.

L. B. 69, Wednesday, February 3, 1943, 2:00 p.m.

L. B. 70, Wednesday, February 3, 1943, 2:00 p.m.

L. B. 128, Wednesday, February 3, 1943, 2:00 p.m.

L. B. 142, Wednesday, February 3, 1943, 2:00 p.m.

Judiciary

L. B. 143, Monday, February 8, 1943, 2:00 p.m.

L. B. 144, Monday, February 8, 1943, 2:00 p.m.

L. B. 145, Monday, February 8, 1943, 2:00 p.m.

Labor & Public Welfare

L. B. 102, Monday, February 1, 1943, 2:00 p.m.

L. B. 127, Monday, February 8, 1943, 2:00 p.m.

L. B. 156, Monday, February 8, 1943, 2:00 p.m.

L. B. 81, Monday, February 15, 1943, 2:00 p.m.

L. B. 114, Monday, February 15, 1943, 2:00 p.m.

L. B. 116, Monday, February 15, 1943, 2:00 p.m.

L. B. 120, Monday, February 22, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment & Review

Presented to Governor for approval
Saturday, January 16, 1943, at 11:41 a.m.
L. B. 51 L. B. 52

(Signed) James H. Anderson, Chairman

Banking, Commerce & Insurance

LEEGISLATIVE BILL 57. Placed on General File.

LEGISLATIVE BILL 58. Placed on General File.

(Signed) Peterson, Chairman

Judiciary

LEGISLATIVE BILL 66. Placed on General File with amendments.

Standing Committee amendments to L. B. 66:

1. Add Sec. 3 as follows: "Sec. 3. Since an emergency exists, this act shall take effect and be in full force from and after its passage and approval, according to law."

2. Amend the title by striking the punctuation "." after the word "act" in line 6 thereof, and by inserting in lieu thereof the punctuation and words "; and to declare an emergency."

3. Amend the title, line 5 of the printed bill by striking the word "and" after the word and punctuation "offenses;".

LEGISLATIVE BILL 67. Placed on General File with amendments.

Standing Committee amendments to L. B. 67:

1. Amend line 39, Section 1, of the printed bill, by inserting the words **"or published"** after the word **"owned".**

2. Amend line 40, Section 1, of the printed bill, by inserting the words **"with the same name under which it was published before suspension and"** after the word **"thereof".**

3. After Sec. 2 add a new section as follows: "Sec. 3. Since an emergency exists, this act shall take effect and be in full force from and after its passage and approval, according to law."

4. Amend the title by striking the punctuation "." after the word "section" in line 9 of the printed bill and by inserting in lieu thereof the punctuation and words "; and to declare an emergency."

5. Amend the title by striking the word "and" after the word and punctuation "hostilities;" in line 8 of the printed bill.

(Signed) Gantz, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL 27. Placed on General File with amendments.

Standing Committee amendments to L. B. 27:

1. Amend the bill by adding a new section 2 after line 41 on page 3 of the bill reading as follows:

"The provisions of subsections (2) and (3) of section 1 of this act shall continue in force until June 30, 1945, when it shall expire by its own limitations."

2. Amend line 1 of section 2 of the bill by striking the section number "2" and inserting in lieu thereof the number "3".

(Signed) Peterson, Chairman

Government

LEGISLATIVE BILL 31. Placed on General File with amendments.

Standing Committee amendments to L. B. 31:

1. Amend page 2 of the bill, section 1, lines 14 to 19 by restoring the stricken matter and striking the new matter therein set forth.

2. Amend page 2 of the bill, section 1, line 18 by adding after the period the following: "In counties with a population of two hundred thousand inhabitants or more, adopting the unit tax ledger as provided for in section 2, legislative bill No. 32, fifty-sixth session, Nebraska state legislature, 1943, it shall not be necessary to bind the original and duplicate receipts in book form and the triplicate receipt provided for herein may be eliminated."

LEGISLATIVE BILL 32. Placed on General File with amendments.

Standing Committee amendments to L. B. 32:

1. Amend page 2 of the bill, section 1, line 7 by inserting a comma after the word "books" and also inserting after the word "ledgers" the following: "In counties having a population of two hundred thousand or more."

2. Amend page 2 of the bill, section 1, line 22 by inserting a comma after the word "books" and also inserting after the word "ledgers" the following: "In counties having a population of two hundred thousand or more."

3. Amend page 2 of the bill, section 1, lines 30 and 31 by inserting a period after the word "books" in line 30 and striking the remainder of the sentence.

4. Amend page 3 of the bill, section 2, line 26 by inserting after the word "board" the following: "In counties having a population of two hundred thousand or more."

5. Amend page 4 of the bill, section 3, line 7 by inserting a comma after the word "list" and inserting after the word "ledgers" the

following: "In counties having a population of two hundred thousand or more."

6. Amend page 4 of the bill, section 3, line 12 by inserting a comma after the word "list" and adding after the word "ledgers" the following: "In counties having a population of two hundred thousand or more."

7. Amend page 5 of the bill, section 4, line 3 by adding a comma after the word "list."

8. Amend page 5 of the bill, section 4, line 5 by adding after the word "ledgers" the following: "In counties having a population of two hundred thousand or more."

9. Amend page 6 of the bill, section 5, line 3 by adding after the word "ledgers" the following: "In counties having a population of two hundred thousand or more."

LEGISLATIVE BILL 55. Placed on General File.

(Signed) Doyle, Chairman

Enrollment & Review

LEGISLATIVE BILL 37. Placed on Select File with amendments.

E and R amendments to L. B. 37:

1. Amend standing committee amendment No. 2 by striking all of said amendment commencing with the words "If the" in the second line thereof, to the end of the amendment, and inserting in lieu thereof, the following:

> **"If the signature, rank and branch of service of any such officer appear upon such instrument or document, no further proof of the authority of such officer to so act shall be required."**

2. Amend standing committee amendment No. 6, 3rd line, by inserting before the words "and to", the following: "providing what proof shall be sufficient of the authority of such an officer to so act:".

3. Amend the bill, title, page 1, 2nd, 3rd and 4th lines, by striking the words and punctuation: "taking of acknowledgments; pro-

viding that acknowledgments", and substitute the following: "the acknowledgment of legal instruments, attestation of documents, administration of oaths and other notarial acts; providing that the acknowledgment of legal instruments, attestation of documents, administration of oaths and other notarial work,".

4. Amend the bill, Section 1, page 2, line 16, by striking the word "oaths" (printed bill, "oath"), and insert in lieu thereof, the following: "oaths **oath**".

5. Amend the bill, Section 2, page 2, line 2, by striking the word "hereby".

LEGISLATIVE BILL 23. Placed on Select File with amendments.

E and R amendments to L. B. 23:

1. Amend the bill, title, first line, by inserting the punctuation "," after "Supp." and before the figures "1941".

2. Amend the bill, title, 4th line, by striking out the words "requirement that" and inserting in lieu thereof, the words "provision that if".

3. Amend the bill, title, 8th line, by inserting, after the word "years" and before the semicolon, the following words and punctuation, to-wit:

> ", the operator shall be guilty of reckless driving, declared to be a misdemeanor and punishable as stated".

4. Amend the bill, Section 1, page 2, line 1, also Section 2, page 2, line 1, by inserting a comma (",") after "Supp." and before the figures "1941".

5. Amend the bill, Section 1, page 2, line 23, by striking the word "Upon" and inserting in lieu thereof, the following: "upon **Upon**".

LEGISLATIVE BILL 42. Placed on Select File with amendments.

E and R amendments to L. B. 42:

1. Amend Standing Committee amendment No. 1, 4th line thereof, by inserting between the quotation mark and the comma, the following, **to-wit:**

> ~~"they may in all criminal prosecutions be witnesses for each other, PROVIDED, HOWEVER, the wife shall be a competent witness against the husband in all prosecutions arising under Section 9584, Compiled Statutes of Nebraska for 1922 (28-458), and either of them may be a witness against the other in any action brought by either husband or wife against a third person, relating to the marriage relationship between such husband and wife, or the interruption of such relationship; and any decree of divorce by one against the other shall be competent as evidence in any action by one of them against a third person relating to such marriage relation or to the interruption thereof or interference therewith."~~

2. Amend the bill, title, 7th line, by striking the punctuation "," after the word "other" and inserting, in lieu thereof, the punctuation ";".

3. Amend the bill, Section 2, page 2, line 2, by striking the word "hereby".

LEGISLATIVE BILL 7. Placed on Select File with amendments.

E and R amendments to L. B. 7:

1. Strike Standing Committee amendment No. 2 and in line 56 of Section 1, page 3, of the bill, after the word "shall" and before the word "show," insert the following: **"expire on December 31 next following, shall"**

2. Amend the bill, title, line 5, by adding after the punctuation ";", the following words and punctuation, to-wit: "to declare an emergency;".

3. Amend the bill, Section 1, page 2, line 4, by striking the punctuation ";" after the word "requires" and insert the punctuation ",;" in lieu thereof; and strike the punctuation ";" and insert in lieu thereof, the punctuation ". ;" in the following places: Line 5, after the word "equity"; line 7, after the word "another"; line 9, after the word "unit"; line 11, after the word "stored"; line 13, after the word "therein"; line 14, after the word "receipt"; line 15, after the word "pledgee"; line 17, after the word "interest"; line 18, after the word "pledgee"; line 19, after the word "pledgee"; line 20, after the word "receipt"; line 21, after the word "contract"; line 24, after the word "therefor". In line 26, strike the punctuation "," after the word "compensation" and insert the following: ". ;". In line 29, after the word "person", insert the punctuation ",".

4. Amend the bill, Section 1, page 3, line 51, by striking the word "The" and inserting, in lieu thereof, the words "the The".

5. Amend the bill, Section 1, page 3, line 53, by inserting the punctuation "," after the word "warehouse" and before the word "other".

6. Amend the bill, Section 2, page 3, line 2, by striking out the word "hereby".

(Signed) James H. Anderson, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 201. By Craven of Lancaster, Peterson of Lancaster and Heiliger of Lancaster.

A bill for an act to appropriate from the general fund of the State of Nebraska, the sum of eight thousand dollars, or so much thereof as may be necessary, to enable the State of Nebraska, to purchase the South Half of the Northeast Quarter of Section Eight, Township Four North, Range Six, East of the Sixth Principal Meridian, in Lancaster County, Nebraska, for use of the reformatory for men; and to declare an emergency.

LEGISLATIVE BILL 202. By Sorrell of Otoe.

A bill for an act to amend sections 71-1101, 71-1103, 71-1104, 71-1105, and 71-2219, Compiled Statutes of Nebraska, 1929, relating to public health and welfare; to provide for the examining and licensing of chiropractors; to define an accredited school or college of chiropractic; to define the practice of chiropractic; and to repeal the original sections.

LEGISLATIVE BILL 203. By Crosby of Lincoln.

A bill for an act relating to the public service; to create the Nebraska Merit System; to provide a Council for its administration; to prescribe the duties, powers and compensation of the Council; to provide an appropriation; and to declare an emergency.

LEGISLATIVE BILL 204. By Cullingham of Douglas, Gutoski of Douglas and Tvrdik of Douglas.

A bill for an act to provide for the creation of a Power Commission in cities of the metropolitan class as a public body corporate and politic and a political subdivision; to define the nature, powers, duties and activities of such Commission; to provide for its membership; to provide for acquisition and operation by the Commission of the existing electric utility serving such cities and other municipalities within and without the State; to provide for its financing, including loans or advances thereto by cities of the metropolitan class for preliminary expenses; to subject the Commission and its property to the payment of state and local taxes or of sums equal thereto; to provide for a continuation of the regulatory jurisdiction and powers over its rates and franchises by such cities, the Nebraska State Railway Commission and other municipalities, but subject to the continued integrity of the Commission's funded obligations; to provide a penalty for obstructing employees of the Commission and interfering or tampering with its facilities; to amend Sections 14-1027, 14-1029 and 14-1030, Compiled Statutes of Nebraska for 1929, and Section 14-1028, Compiled Statutes Supplement for 1941, relating to operation of electric utilities by the Metropolitan Utilities District; to repeal said original sections; and to declare an Emergency.

LEGISLATIVE BILL 205. By Hubka of Gage.

A bill for an act to amend section 19-410, Compiled Statutes of Nebraska, 1929, relating to salaries of officers and employees of cities operating under a commission form of government; to provide for an increase in the annual salary to be paid councilmen of cities having two thousand or more and less than twenty-five thousand population; and to repeal the original section.

LEGISLATIVE BILL 206. By Raecke of Merrick.

A bill for an act to provide for a limitation of the time within which an action may be brought to attack, or to declare invalid, proceedings brought by a county to foreclose tax liens under section 77-2039, Compiled Statutes of Nebraska, 1929, as amended, where the county has bid in the property as trustee, whether the county has obtained deeds therefor or not, or such bids or deeds taken pursuant thereto; to fix the conditions upon which an action may be brought to attack such proceedings or deeds; to provide for the distribution of proceeds when any county shall have heretofore commenced proceedings under said provisions and shall have heretofore bid as trustee for the purchase of property at sales held under said section; and to declare an emergency.

LEGISLATIVE BILL 207. By Craven of Lancaster.

A bill for an act to empower officials, elective and appointive, of cities of the metropolitan class, cities of the first class, cities of the second class, and villages, counties, and all political subdivisions thereof, and all public power, public irrigation, public school, and public utility districts, and all publicly owned districts of whatever nature, organized or to be organized, by legislative enactment, to bargain collectively with representatives of their employees, in respect to rates of pay, wages, hours of employment, or other conditions of employment; to recognize representatives of the employees' own choosing as exclusive representatives of all employees of the cities, counties and political subdivisions of the state mentioned above, and to determine the majority status of said representatives; and to declare an emergency.

LEGISLATIVE BILL 208. By Gantz of Box Butte.

A bill for an act to amend section 48-138, Compiled Statutes of Nebraska, 1929, relating to workmen's compensation; to fix the date in certain cases when the statute of limitations starts to run against filing a claim for compensation benefits; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 209. By Gantz of Box Butte, by request.

A bill for an act relating to the administration of the estates of missing persons, prisoners of war and persons detained or interned by any foreign power, incident to war; to confer jurisdiction on the county court of the respective counties in this state in such cases and providing for the procedure therefor.

LEGISLATIVE BILL 210. By Tvrdik of Douglas, Cullingham of Douglas and Klaver of Douglas.

A bill for an act to amend section 14-1015, C. S. Supp., 1941, relating to the powers of metropolitan water and metropolitan utilities districts; to provide for the control and rights of appointees and employees thereof; to empower the board of directors of such districts to provide benefits for present and future appointees and employees against accident, disease, death, disability or retirement under plans and conditions determined by the board; to empower such board of directors to establish and maintain reserves and funds and provide for costs and insurance premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide limits of retirement income for such retired and disabled employees and appointees; and to repeal the original section.

LEGISLATIVE BILL 211. By Norman of Douglas, Foster of Douglas and Ogden of Douglas.

A bill for an act relating to schools; to provide that there may be established a retirement system for employees of school districts in metropolitan cities, other than those employees now under a pension or retirement plan; to provide for a retirement fund and the administration thereof; to provide limited pensions from such fund in the event of disability or retirement and reimbursement of the contributions of employees in the event of death or discontinuance of service; to amend sections 79-2756, 79-2759, 79-2761, 79-2762, 79-2763, 79-2764, and 79-2765, C. S. Supp., 1941, and to repeal the original sections; to repeal sections 79-2757, 79-2758, 79-2760, 79-2766, 79-2767 and 79-2770, C. S. Supp., 1941.

MOTION—To Suspend Rules and Refer

Mr. President: I move that the rules be suspended and that the bills in order for second reading during this morning be referred to committees by number and the name of the introducer, without second reading.

(Signed) Mueller

The motion prevailed with 34 ayes, no nays, 9 not voting.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
187	Sorrell	Public Works
188	Gantz, by request	Appropriations
189	Gantz, by request	Judiciary
190	Gantz, by request	Revenue
191	Hubka, Crosby	Public Health and Misc. Subs.
192	Hubka	Public Works
193	Asimus	Public Works
194	Conklin, et al	Public Works
195	Peterson	Public Health and Misc. Subs.
196	Banking, Com. and Ins. By Peterson, Chairman	Banking, Com. and Ins.
197	Peterson	Labor and Public Welfare
198	Peterson	Labor and Public Welfare
199	Rakow, Thompson	Revenue
200	Lee, Hubka	Agriculture

Oath of Office

Speaker

Speaker Robert B. Crosby requested that his oath of office be printed in the Legislative Journal:

State of Nebraska :
Lancaster County : SS.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Nebraska, and faithfully discharge the duties of Speaker of the Legislature to the best of my ability, so help me God.

(Signed) Robert B. Crosby

Subscribed in my presence and sworn to before me this 25th day of January, 1943.

(Signed) Robt. G. Simmons
Seal Chief Justice

L. B. 156 Re-referred

The Speaker announced that L. B. 156 had been re-referred from Committee on Judiciary to the Committee on Labor and Public Welfare.

SELECT FILE

LEGISLATIVE BILL 12. E and R amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 17. E and R amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 29. E and R amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 34. E and R amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 39. E and R amendments, found in the Legislative Journal for the Twelfth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 73. Mr. Greenamyre offered the following amendments which were adopted:

1. Amend page 2 of the bill, section 1, by striking the words "which shall produce" in line 8 and all of lines 9, 10, 11 and 12, and by inserting the following: ". . . which shall, during the first year of its operation, produce two thousand tons of such synthetic rubber, using principally, for the production therefor, products of the kind generally grown on the farms of Nebraska. Any person intending to claim the benefits of this act shall be required to notify the Governor of Nebraska in writing of his intention so to do not less than ten days before commencement of production of rubber, and shall be required to keep and submit for inspection, when requested, all contracts, purchase orders and invoices, in order to show that the rubber is manufactured from products of the kind generally grown on the farms of Nebraska. The Department of Agriculture and Inspection shall have the right at all times to enter the premises, view the operations, and inspect all contracts, purchase orders and invoices, in order to see that the conditions imposed by this act are complied with by the person intending to claim the benefits thereof."

Referred to E and R for review.

LEGISLATIVE BILL 30. Mr. Mueller moved that the rules be suspended and the reading of the bill be dispensed with.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 86. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 25. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirteenth Day, were adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 4. Correctly engrossed.

(Signed) James H. Anderson, Chairman

Adjournment

At 12:00 m. on motion by Mr. Garber the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 26, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Peterson and Mr. Matzke, who were excused.

The Journal for the Fifteenth Day was approved.

PETITIONS AND MEMORIALS

Mr. Lee introduced a petition opposing the passage of L. B. 78.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 140, Monday, February 15, 1943, 2:00 p.m.

Education

L. B. 122, Monday, February 1, 1943, 2:00 p.m.

L. B. 180, Monday, February 1, 1943, 2:00 p.m.

L. B. 186, Monday, February 1, 1943, 2:00 p.m.

L. B. 91, Monday, February 1, 1943, 2:00 p.m. (continued)

L. B. 97, Monday, February 1, 1943, 2:00 p.m. (continued)

Public Works

L. B. 152, Wednesday, February 3, 1943, 2:00 p.m.

L. B. 128, Wednesday, February 3, 1943, 2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 202, Wednesday, February 3, 1943, 2:00 p.m.

Appropriations

L. B. 105, Monday, February 1, 1943, 3:00 p.m.

L. B. 141, Monday, February 1, 1943, 3:30 p.m.

L. B. 151, Monday, February 1, 1943, 4:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 36. Indefinitely postponed.

LEGISLATIVE BILL 64. Indefinitely postponed.

LEGISLATIVE BILL 83. Placed on General File.

LEGISLATIVE BILL 80. Placed on General File.

(Signed) Gantz, Chairman

Appropriations.

LEGISLATIVE BILL 21. Placed on General File with amendments.

Standing Committee amendments to L. B. 21:

Amend by striking the word "forty-eight" in line 5, Section 1, and inserting in lieu thereof the word "thirty-six".

LEGISLATIVE BILL 35. Placed on General File.

(Signed) Greenamyre, Chairman

Enrollment and Review

LEGISLATIVE BILL 12. Placed on Select File with amendments.

E and R amendments to L. B. 12:

That the second amendment of the Enrollment and Review Committee be amended by striking the figure "2" in the first line thereof, and insert the figure "4" in lieu thereof.

(Signed) James H. Anderson, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 212. By Heiliger of Lancaster.

A bill for an act to regulate the assignment of accounts receivable; to provide for the filing and indexing of an affidavit setting forth the intention of the transferer to assign the same; and to prescribe the form and effect of the assignment.

LEGISLATIVE BILL 213. By Gantz of Box Butte, by request.

A bill for an act to amend section 72-217, C. S. Supp., 1941, relating to school lands and funds; to provide that no individual, partnership, or corporation shall be entitled to hold more than six hundred forty acres of state educational lands under lease except where the land to be acquired lies adjacent to lands owned or operated by such applicant or assignee; to provide for reappraisal of such lands; to provide for forfeiture of lease upon lessee's failure to pay rental; and to repeal the original section.

LEGISLATIVE BILL 214. By Crosby of Lincoln and Carmody of Hitchcock.

A bill for an act to amend sections 60-1003, 60-1006, 60-1007, 60-1009, 60-1011, 60-1013, 60-1014, 60-1015 and 60-1016, C. S. Supp., 1941, relating to certificates of title to motor vehicle; to provide forms for and the manner and method of issuance of certificates of title to motor vehicle; to provide for the manner of discharge of liens upon motor vehicles; to provide the fees for issuance of certificate of title and copies thereof; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 215. By Thompson of Nance.

A bill for an act to amend section 77-901 and 77-905, Compiled Statutes of Nebraska, 1929, relating to taxation of fire insurance companies; to provide deductions from gross premiums in computation of tax; to provide for the filing by each and every fire insurance company with the Tax Commissioner of the names of their agents in this state, their post office address and the amount of premiums written for each individual agent for the preceding calendar year, and the certification of information from the statement by the Tax Commissioner to the county assessor of each county; to provide a penalty; and to repeal the original sections.

LEGISLATIVE BILL 216. By Thompson of Nance.

A bill for an act to amend section 77-903, C. S. Supp., 1941, relating to taxation; to provide that foreign casualty companies transacting business in this state shall be subject to taxation on their gross receipts, including policy and membership fees; to provide for issuance of certificate to do or continue business by the Director of Insurance instead of the Auditor of Public Accounts; and to repeal the original section.

LEGISLATIVE BILL 217. By Thompson of Nance.

A bill for an act to amend section 77-904, C. S. Supp., 1941, relating to taxation of insurance and surety companies other than fire insurance companies; to provide for deduction of return premiums from taxation of gross premiums, and to eliminate the deduction of reinsurance paid on Nebraska business; and to repeal the original section.

LEGISLATIVE BILL 218. By Committee on Education by Matzke of Seward, Chairman.

A bill for an act to amend sections 51-501, 51-503, 51-504, 51-505, 51-506, 51-507, 51-508, 51-509 and 51-510, C. S. Supp., 1941, relating to Nebraska Public Library; to provide that the Nebraska Public Library Commission be abolished; to provide that the office of executive secretary be abolished; to provide that the duties and all property of Nebraska Public Library Commission be turned over to the Superintendent of Public Instruction; and to repeal the original sections and also section 51-502, C. S. Supp., 1941.

LEGISLATIVE BILL 219. By Tvrdik of Douglas and Gutoski of Douglas.

A bill for an act to create a boiler inspection department within the Department of Labor; to provide for notice of intention to install and inspect steam boilers, generators, and super-heaters; to create the office of state boiler inspector and to define his duties; to provide for the enforcement of boiler inspection provisions of this act; to provide an appropriation; to provide penalties for the violation thereof; and to declare an emergency.

LEGISLATIVE BILL 220. By Doyle of Greeley and Garber of Webster.

A bill for an act to amend sections 1 and 2 of Legislative Bill No. 130 of the Fifty-fifth Session of the Nebraska Legislature, which now appear as sections 77-1963 and 77-1959, C. S. Supp., 1941, relating to revenue; to provide for the cancellation of interest on general real property and personal taxes delinquent March 1, 1941, if payment of such taxes with interest thereon from said date is made on or before July 1, 1944; to provide for the collection of such taxes; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 221. By Appropriations Committee by Greenamyre of Madison, Chairman.

A bill for an act to amend sections 81-401, 81-402, 81-404, and 81-407, Compiled Statutes of Nebraska, 1929, relating to purchases by the State of Nebraska; to provide that all equipment, material, supplies, and printing for state officers, departments, institutions, boards, bureaus, commissions, and agencies of the state except the University of Nebraska and normal schools shall be purchased through the Tax Commissioner; to provide the manner and method of making purchases; and to repeal the original sections.

LEGISLATIVE BILL 222. By Asimus of Holt.

A bill for an act to amend section 75-226, C. S. Supp., 1941, relating to fees for motor carrier certificates and permits; to reduce the amount of the application fee and also the annual fee required from seven dollars and fifty cents to one dollar; and to repeal the original section.

LEGISLATIVE BILL 223. By Rakow of Antelope.

A bill for an act relating to decedents' estates; to provide procedure for the examination of persons concealing property or writings belonging to an estate when such persons are not in the county where administration is granted; to provide damages for conversion of estate property; and to provide penalties.

LEGISLATIVE BILL 224. By Thomas of Clay, Brodahl of Saunders, and Osborne of Morrill.

A bill for an act to amend section 79-104, C. S. Supp., 1941, and sections 79-113 and 79-2003, Compiled Statutes of Nebraska, 1929, relating to school districts; to provide a method for annexation to adjoining districts when the United States has purchased or appropriated the land of a district for any defense or war projects so as to leave less than two sections of land and fewer than twenty persons of school age; to provide for sale of schoolhouse or site, or other property when the district or any part thereof has been taken over by the United States for any defense or war project and distribution of proceeds from such sale; and to repeal the original sections.

LEGISLATIVE BILL 225. By Jeffords of Hooker and Weborg of Cuming.

A bill for an act relating to county high schools; to provide for the discontinuance and dissolution of a county high school organized under Article 10, Chapter 77, Compiled Statutes of Nebraska, 1929; to provide the procedure therefor; and to prescribe the manner of payment of indebtedness of the dissolved district.

LEGISLATIVE BILL 226. By Klaver of Douglas.

A bill for an act to amend sections 53-325, 53-326, and 53-330, C. S. Supp., 1941, relating to liquor control; to provide for wholesaler's and retailer's license and annual license fee for same; to provide a penalty; and to repeal the original sections.

LEGISLATIVE BILL 227. By Mueller of Buffalo and Foster of Douglas.

A bill for an act to amend sections 71-2421 and 71-2422, C. S. Supp., 1941, relating to Vital Statistics; to provide for the registration of delayed birth certificates by the Director of Health and procedure therefor; to repeal the original sections; and to repeal sections 71-2423, 71-2424, 71-2425 and 71-2429, C. S. Supp., 1941.

LEGISLATIVE BILL 228. By Osborne of Morrill and Neubauer of Harlan, by request.

A bill for an act to amend section 53-328, C. S. Supp., 1941, relating to liquor control; to provide that no person shall be granted a license for any place or location outside the corporate limits of cities, villages, and towns; and to repeal the original section.

LEGISLATIVE BILL 229. By Heiliger of Lancaster.

A bill for an act relating to the sale of articles; to provide for the sale of articles left longer than certain periods with cleaning, pressing, glazing, laundering, repairing and storage establishments, after notice to owners, to defray charges; and to provide for the posting of notices.

LEGISLATIVE BILL 230. By Raecke of Merrick.

A bill for an act to amend sections 48-101 and 48-109, Compiled Statutes of Nebraska, 1929, and 48-152, Compiled Statutes of Nebraska, 1929, as amended, relating to Workmen's Compensation; to provide that the benefits of the Workmen's Compensation Act shall extend to injuries to employees caused by occupational disease arising out of and in the course of employment; and to repeal the original sections.

MOTION—To Reconsider Action

Mr. President: I move that we reconsider our action of January 12th (page 86 Journal) on the Doyle motion to change the rules.

(Signed) Carmody

The motion prevailed with 36 ayes, no nays, 7 not voting.

Mr. Doyle's motion, found in the Legislative Journal for the Fifth Day, was restated and prevailed with 32 ayes, no nays, 11 not voting.

The Speaker declared the Doyle amendment to the rules adopted.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
201	Craven	Appropriations
202	Sorrell	Public Health and Misc. Subs.
203	Crosby	Government
204	Cullingham, et al	Public Works
205	Hubka	Public Health and Misc. Subs.
206	Raecke	Judiciary
207	Craven	Labor and Public Welfare

208	Gantz	Labor and Public Welfare
209	Gantz, by request	Judiciary
210	Tvrdik, et al	Government
211	Norman, et al	Education

SELECT FILE

Mr. Gantz presiding

LEGISLATIVE BILL 37. E and R amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 7. E and R amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 23. E and R amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 42. E and R amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 44. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fourteenth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 45. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 3. Placed at foot of General File.

LEGISLATIVE BILL 99. Read and considered.

Mr. Neubauer offered the following amendment, which was adopted:

Strike 22 and 23 in Standing Committee amendment No. 2 and insert in lieu thereof 23 and 24.

Standing Committee amendments, found in the Legislative Journal for the Twelfth Day, were adopted as amended.

Mr. Doyle moved to refer the bill to E and R for review.

Mr. Raecke moved that the Legislature reconsider its action in adopting the Standing Committee amendments.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Vote was taken on the original motion to adopt the Standing Committee amendments.

The motion was lost with 3 ayes, 29 nays, 11 not voting.

The Chair announced the Standing Committee amendments were not adopted.

Referred to E and R for review.

Speaker Crosby presiding

Mr. Gantz requested unanimous consent to place L. B. 55 at the head of General File for immediate consideration.

No objection was offered. So ordered.

LEGISLATIVE BILL 55. Read and considered.

Referred to E and R for review.

Mr. Gantz presiding

LEGISLATIVE BILL 57. Read and considered.

Referred to E and R for review.

MOTION—To Add Names as Co-introducers

Mr. President: I move that the following names be added to L. B. 204 as co-introducers:

William J. Norman
Cliff N. Ogden
Sam Klaver
Harry A. Foster
Tom Dooley
A. J. Brodahl

(Signed) Gutoski

The motion prevailed. So ordered.

Visitor

Mr. Thomas introduced Mr. Mason Hyde, a former member, who addressed the Legislature briefly.

Adjournment

At 12:20 p.m. Mr. Heiliger moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Wednesday.

Mr. Mueller moved to adjourn.

The motion to adjourn prevailed.

Hugo F. Srb
Clerk of the Legislature.

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, January 27, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Peterson, who was excused.

The Journal for the Sixteenth Day was approved.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 125, February 2, 1943, 2:00 p.m.

L. B. 168, February 2, 1943, 2:00 p.m.

L. B. 173, February 2, 1943, 2:00 p.m.

L. B. 166, February 4, 1943, 2:00 p.m.

L. B. 200, February 4, 1943, 2:00 p.m.

Revenue

L. B. 154, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 157, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 60, Thursday, February 18, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 84. Placed on General File with amendments.

Standing Committee amendments to L. B. 84:

(1) Amend section 1, line 40 by striking the word "thirty" and inserting in lieu thereof the word "sixty".

LEGISLATIVE BILL 85. Placed on General File.

(Signed) Matzke, Chairman

Agriculture

LEGISLATIVE BILL 103. Indefinitely postponed.

LEGISLATIVE BILL 121. Indefinitely postponed.

LEGISLATIVE BILL 78. Indefinitely postponed.

(Signed) Neubauer, Chairman

ENROLLMENT & REVIEW

LEGISLATIVE BILL 24. Placed on Select File with amendments.

E and R amendments to L. B. 24:

1. In the bill, title, page 1, 1st line, and Section 1, page 2, line 1, and Sec. 2, line 2, insert a comma (",") after the word and punctuation, "Supp.", also insert a comma (",") in the title, 5th line, before the word "without".

2. In the bill, title, page 1, third line, insert the word "a" after the word "of" and before the word "junior", and strike out the word "colleges" and insert, in lieu thereof, the word "college".

LEGISLATIVE BILL 25. Placed on Select File with amendments.

E and R amendments to L. B. 25:

1. Amend Standing Committee amendment No. 1 by striking the word and figures "line 12" and inserting, in lieu thereof, the words "the last line".

2. Amend Standing Committee amendment No. 2 by inserting, in the 2nd line thereof, after the quotation mark (") and before the word "Since", the following: "Sec. 3.".

3. In the bill, title, page 1, 1st line, also in Section 1, page 2, line 1, and also in Section 2, page 2, line 2, after the word and punctuation "Supp." and before the figures "1941", insert a comma (","), and also insert a comma (",") in the bill, title, page 1, 7th line, after the word "Administration", Section 1, page 2, line 8, after the word "cents", Section 1, page 2, line 10, after the word "request", Section 1, page 2, line 11, after the word "record" and before the word "whether", Section 1, page 2, line 15, after the word **"Administration"**, Section 1, page 2, line 23, after the word "fund", and Section 2, page 2, line 2, after the figures "1941".

4. In the bill, title, page 1, 4th line, insert the word "a" after the word "furnish" and in Section 1, page 2, line 13, insert the word "a" after the word **"furnish"**.

5. In the bill, title, page 1, 6th line, insert the word "the", after the word "upon" and in the bill, Section 1, page 2, line 15, insert the word **"the"** after the word **"upon"**.

6. In the bill, Section 1, page 2, line 4, strike out the words "State Registrar" and insert, in lieu thereof, the following: "~~state registrar~~ **State Registrar"**.

7. In the bill, Section 1, page 2, line 12, strike out the semicolon (";") and insert, in lieu thereof: ". ;".

8. In the bill, Section 1, page 2, line 16, strike out the word **"where"** and insert, in lieu thereof, **"if such"**.

LEGISLATIVE BILL 90. Placed on Select File with amendments.

E and R amendments to L. B. 90:

1. Strike out all legislature and standing committee amendments; also strike out, in the bill, title, 2nd line, the words "to provide that", all of the 3rd line, and the words "entire State of Nebraska" in the 4th line thereof; and strike that part of the bill, Section 1, page 2, line 4, after the words "of all of", to the end of said section.

2. In the bill, title, page 1, 2nd line, after the semicolon (";"), insert the following: "adding Antelope, Boone, Greeley and Valley counties to the Nebraska brand inspection area".

3. In the bill, Section 1, page 2, line 4, insert, after the words "of all of", the following:

> "that part of the ~~state~~ **State** of Nebraska lying within the following counties: **Antelope,** Arthur, Banner, Blaine, **Boone,** Box Butte, Boyd, Brown, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Frontier, Garden, Garfield, Grant, **Greeley,** Hayes, Hitchcock, Holt, Hooker, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Red Willow, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, **Valley and** Wheeler."

LEGISLATIVE BILL 37. Placed on Select File with amendments.

E and R amendments to L. B. 37:

(1) In the bill, title, page 1, 2nd line, strike the word "the".

(2) Strike amendment No. 2 of first report of Enrollment and Review Committee, and in the bill, title, page 1, 7th line, also strike the word "and", and insert, in lieu thereof, the following: "providing what proof shall be sufficient of the authority of such an officer to so act;".

LEGISLATIVE BILL 26. Correctly engrossed.

(Signed) James H. Anderson, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 231. By Craven of Lancaster.

A bill for an act to amend section 31-606, Compiled Statutes of Nebraska, 1929, relating to the powers and duties of the board of trustees of sanitary drainage districts; to provide for the publication of their proceedings; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 232. By Reavis of Richardson.

A bill for an act to amend section 68-284, C. S. Supp., 1941, relating to per capita tax for old age assistance; to provide that all persons over twenty-one years of age who are sane and are not a public charge as a poor person shall be subject to such tax; and to repeal the original section.

LEGISLATIVE BILL 233. By Greenamyre of Madison.

A bill for an act to amend section 44-328, Compiled Statutes of Nebraska, 1929, relating to insurance; to prescribe procedure for the licensing of insurance agents; to fix a penalty for the violation thereof; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 234. By Hubka of Gage.

A bill for an act to amend sections 48-108 and 48-111, Compiled Statutes of Nebraska, 1929, and sections 48-120, 48-125, 48-140, 48-143, 48-145, 48-147, 48-157, 48-165, 48-166, and 48-174, C. S. Supp., 1941, relating to Workmen's Compensation; to provide for the payment of legal fees; to provide who shall be bound by an election to accept other methods of compensation; to provide for medical attention and hospitalization and liability therefor; to provide for periodical and lump sum payments; to provide for reporting of accidents; to provide for anyone furnishing compensation coverage insurance to furnish the compensation court with notice of coverage and cancellation of same; to provide for procedure in Workmen's Compensation cases; and to repeal the original sections.

LEGISLATIVE BILL 235. By Brodahl of Saunders.

A bill for an act relating to revenue and taxation; to provide that where taxes are delinquent upon any real estate having a building situated thereon, from which rentals are or can be derived, such delinquent taxes shall constitute a lien upon any rentals from such property; and to provide for the enforcement of such lien.

LEGISLATIVE BILL 236. By Brodahl of Saunders and Neubauer of Harlan.

A bill for an act to amend sections 79-902 and 79-522, C. S. Supp., 1941, relating to schools; to provide that the rate to be charged for high school tuition for the pupils specified therein shall be three dollars per week; and to repeal the original sections.

LEGISLATIVE BILL 237. By Ogden of Douglas.

A bill for an act relating to undertakings, bonds and recognizances; to provide that a duplicate statement under oath shall be attached to all undertakings, bonds and recognizances of one thousand dollars or more by surety where surety is an individual and wherein real property is offered as security; to provide for the recording of duplicate statements in the office of Register of Deeds in the county where the real property is located and that bond shall be a lien on real property set forth when said statement is filed; and to provide method for releasing the lien.

LEGISLATIVE BILL 238. By Heiliger of Lancaster and Craven of Lancaster

A bill for an act to amend section 33-112, C. S. Supp., 1941, relating to the salaries of deputies and assistants in the office of the Register of Deeds in counties having more than sixty and not more than one hundred fifty thousand inhabitants; to provide the amount to be paid as salaries to such deputies, and that the salaries of such assistants shall be fixed by the county board; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 239. By Gutoski of Douglas and Ogden of Douglas.

A bill for an act relating to banks and banking, prescribing a form of notice or order to stop payment on a check or draft, and fixing a time during which such notice or order shall be effective.

LEGISLATIVE BILL 240. By Foster of Douglas.

A bill for an act to amend section 22-107, Compiled Statutes of Nebraska, 1929, relating to municipal courts; to provide for the selection of a presiding judge thereof; to prescribe his powers and duties; to provide for the appointment of a court reporter; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 241. By Asimus of Holt.

A bill for an act relating to revenue and taxation; to provide for the levy and assessment of a license tax upon railroads for the privilege of engaging in business in the State of Nebraska of two hundred forty dollars per year for each mile of track, except switch trackage, owned or operated by such railroad in this state; to provide for the filing of monthly reports with the Tax Commissioner and the monthly collection of the tax imposed; to provide that the tax collected shall be credited and inure to the State Assistance Fund, and shall be used to pay old age pensions; and to declare an emergency.

LEGISLATIVE BILL 242. By Conklin of Thayer.

A bill for an act to amend section 81-106, C. S. Supp., 1941, relating to the duties of the Tax Commissioner; to provide that the Tax Commissioner shall examine and audit the books, accounts, vouchers, records, and expenditures of the Auditor of Public Accounts, and to report promptly to the Governor the result of such examination and audit; and to repeal the original section.

LEGISLATIVE BILL 243. By Osborne of Morrill, by request.

A bill for an act to amend sections 71-1101, 71-1103 and 71-1104, Compiled Statutes of Nebraska, 1929, relating to the practice of chiropractic; to define the term "chiropractic"; to provide for the qualifiations of applicants for a license to practice chiropractic; and to repeal the original sections.

LEGISLATIVE BILL 244. By Gutoski of Douglas, Tvrdik of Douglas and Norman of Douglas.

A bill for an act to authorize and empower county boards of counties having more than two hundred thousand population to borrow money, and to execute and deliver their promissory notes in evidence thereof, and regulating their manner of payment; to provide for the use of other available county funds to pay warrants when the funds upon which the warrants drawn are insufficient for payment.

LEGISLATIVE BILL 245. By Gutoski of Douglas.

A bill for an act to amend section 14-103, Compiled Statutes of Nebraska, 1929, relating to cities of the metropolitan class; to define and declare as a nuisance all feed yards or lots within the corporate limits of such cities which do not meet the requirements specified in this act; to provide for the suppression and abatement of such nuisances; to provide that the location of any feed lots complying with such specifications shall be subject to such zoning requirements and restrictions as may be prescribed by the City Planning Commission; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 246. By Hubka of Gage, Tvrdik of Douglas and Bowman of Adams.

A bill for an act to amend section 89-170, C. S. Supp., 1941, relating to bread weights; to provide for a loaf of one and one-fourth pounds; to provide for displaying on the wrapper the weight and price of such loaf; and to repeal the original section.

LEGISLATIVE BILL 247. By Klaver of Douglas, by request.

A bill for an act to amend section 29-2217, C. S. Supp., 1941, relating to criminals; to provide penalties for persons convicted of a felony who have previously been once convicted of a crime, sentenced and committed to prison for a term of not less than one year; and to repeal the original section.

Visitor

Mr. Crossland introduced Mr. Otto C. Weber, a former member, who addressed the Legislature briefly.

Referred to Standing Committees

L. B.	Introducer	Committee Reference
212	Heiliger	Banking, Com. & Ins.
213	Gantz, by request	Education
214	Crosby, Carmody	Public Works
215	Thompson	Banking, Com. & Ins.
216	Thompson	Banking, Com. & Ins.
217	Thompson	Banking, Com. & Ins.
218	Committee on Education By Matzke, Chairman	Education
219	Tvrdik, Gutoski	Labor & Public Welfare
220	Doyle, Garber	Revenue
221	Appropriations Committee By Greenamyre, Chairman	Appropriations
222	Asimus	Public Works
223	Rakow	Judiciary
224	Thomas, et al	Education
225	Jeffords, Weborg	Education
226	Klaver	Revenue
227	Mueller, Foster	Public Health & Misc. Subs.
228	Osborne, Neubauer By request	Judiciary
229	Heiliger	Public Health & Misc. Subs.
230	Raecke	Labor & Public Welfare

SELECT FILE

LEGISLATIVE BILL 12. E and R amendment, found in the Legislative Journal for the Sixteenth Day, was adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Mekota presiding

LEGISLATIVE BILL 58. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 66. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Mr. Crosby offered the following amendment, which was adopted:

Amend by striking the word "intended" in line 2, Sec. 2.

Referred to E and R for review.

LEGISLATIVE BILL 67. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend Section 1, line 34 by inserting after the word and punctuation "war," the words "or has suspended publication since December 7, 1941,".

Referred to E and R for review.

LEGISLATIVE BILL 27. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Mr. Crosby presiding

Mr. Conklin offered the following amendment, which was adopted:

That the title to L. B. 27 be amended to conform to the standing committee amendments.

Mr. Conklin moved to refer the bill to E and R for review.

Mr. Craven moved to postpone indefinitely.

After discussion Mr. Mischke moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion was lost with 15 ayes, 21 nays, 7 not voting.

Mr. Sorrell presiding

After further discussion, Mr. Craven's motion to postpone indefinitely was restated.

The motion prevailed with 21 ayes, 18 nays, 4 not voting.

Speaker Crosby presiding

Adjournment

At 12:02 p. m. on motion by Mr. Weborg the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 28, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Norman and Mr. Craven who were excused.

The Journal for the Seventeenth Day was approved.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 162, Monday, February 15, 1943, 2:00 p. m.

L. B. 165, Monday, February 15, 1943, 2:00 p. m.

Government

L. B. 79, Friday, February 5, 1943, 2:00 p. m.

L. B. 87, Friday, February 5, 1943, 2:00 p. m.

L. B. 126, Friday, February 5, 1943, 2:00 p. m.

L. B. 153, Friday, February 5, 1943, 2:00 p. m.

Appropriations

L. B. 201, Tuesday, February 9, 1943, 2:15 p. m.

L. B. 188, Tuesday, February 9, 1943, 2:45 p. m.

Public Works

L. B. 167, Wednesday, February 3, 1943, 2:00 p. m.

L. B. 170, Wednesday, February 3, 1943, 2:00 p. m.

L. B. 171, Wednesday, February 3, 1943, 2:00 p. m.

L. B. 158, Wednesday, February 3, 1943, 2:00 p. m.

L. B. 155, Friday, February 5, 1943, 2:00 p. m.

L. B. 77, Wednesday, February 10, 1943, 2:00 p. m.

L. B. 179, Wednesday, February 10, 1943, 2:00 p. m.

L. B. 187, Wednesday, February 10, 1943, 2:00 p. m.

L. B. 193, Wednesday, February 10, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 92. Indefinitely postponed.

(Signed) Gantz, Chairman.

Government

LEGISLATIVE BILL 8. Indefinitely postponed.

(Signed) Doyle, Chairman.

Public Works

LEGISLATIVE BILL 109. Indefinitely postponed.

LEGISLATIVE BILL 113. Placed on General File.

(Signed) Mischke, Chairman.

Enrollment & Review

LEGISLATIVE BILL 5. Placed on Select File with amendments.

E and R amendments to L. B. 5:

1. In the bill, title, 2nd, 3rd and 6th lines, strike the quotation marks; in the 6th line, after the word "requiring", insert the word "a", and after the word "to", add the following: "the Claims and Deficiencies Committee of".

2. In the bill, title, 6th line, after the semicolon (";") and before the word "and", insert the following:

> "prescribing the right, power and duty of the clerk of said board to issue subpoenas, compel the attendance of witnesses and the production of books, papers and documents and punish the disobedience of such subpoenas, the refusal of a witness to be sworn or testify and the failure to produce books, papers and documents, as contempt, in the same manner as are officers who are authorized to take depositions;".

3. In the bill, title, 7th line, insert a comma (",") after the word "Legislature".

4. In the bill, Section 1, page 2, lines 8 and 9, strike out the words "and clerk hire" and insert in lieu thereof, a comma (","), and in line 9, after the word "act" and before the period ("."), insert the following words and punctuation: ", and clerk hire".

5. In the bill, Section 2, page 2, line 4, insert the word "the" after the word "supporting" and before the word "same".

6. In the bill, Section 3, page 2, line 2, strike the word "time" and insert, in lieu thereof, the word "times".

7. In the bill, Section 3, page 2, line 4, after the word "hearing", insert the words "to be" and after the word "necessary" and before the comma (",") insert the following words and punctuation: "or advisable, on any claim so filed".

8. In the bill, Section 4, page 2, line 2, after the word and punctuation "act,", strike out the balance of said section, and insert, in lieu thereof, the following words and punctuation:

> "have the right, power and duty to (a) administer oaths, (b) compel the attendance of witnesses and the production of books, papers and documents and issue subpoenas for such purposes and (c) punish the disobedience of such subpoena or subpoenas, the refusal of a witness to be sworn or testify or the failure to pro-

> duce books, papers and documents, as required by such subpoena or subpoenas so issued, as contempt, in the same manner as are officers who are authorized to take depositions."

9. In the bill, Section 5, page 2, line 2, strike the comma (",") after the word "limitations", and also after the word "it" in line 6 on page 3, and in line 4 on page 2, after the word "of" and before the word "facts", insert the word "the".

10. In the bill, Section 5, page 3, line 5, insert, after the words and punctuation "claim,", the words "together with", and in line 10, of said section, strike the words "the claim and of", and insert, in lieu thereof, the following words and punctuation: "each of such claims, together with a copy of the original papers and".

11. In the bill, insert a comma (",") in the following places: Section 3, page 2, line 3, after the word "presented"; Section 3, page 2, line 5, after the word "notice" and also after the word "mail"; Section 5, page 2, line 4, after the word "investigation"; Section 5, page 3, line 11, before the word "shall"; Section 5, page 3, line 12, after the word "and" and also after the word "matters".

LEGISLATIVE BILL 20. Placed on Select File with amendments.

E and R amendments to L. B. 20:

1. Strike Standing Committee amendment No. 2 and Legislative amendment by Mr. Mischke, and in the bill, Section 1, page 2, line 7, after the word "and" and before the word "authorized", insert the following: "**, more than 16 years of age and less than 65 years of age,**".

2. Strike legislative amendment No. 1 by Mr. Reavis and the legislative amendment by Mr. Raecke, and amend the bill, title page 1, by striking all of the title, after the word "amend", in the 1st line thereof, to the end of said title, and insert, in lieu thereof, the following:

> ", until March 1, 1945, section 66-819, C. S. Supp., 1941, relating to transportation of motor vehicle fuels and petroleum products; changing the requirement that drivers of motor vehicles transporting motor vehicle fuels and other products, covered by this act, must be more than 21 and less than 60 years of age to more than 16 and less than 65 years of age; changing the number of hours that such drivers may be on duty, from 12 hours to 14 hours, in any 24-hour period, and

> the number of hours that such drivers must have off duty, for necessary rest, before returning to duty, from 12 hours to 10 hours; and to suspend the original section 66-819, C. S. Supp., 1941, and also sections 66-701 and 66-818, C. S. Supp., 1941, until March 1, 1945."

3. Amend the legislative amendment No. 2, of Mr. Reavis, by inserting a comma (",") at the beginning of the subject matter in quotations.

4. In the bill, Section 1, page 2, line 1, insert a comma (",") after "Supp." and before the figures "1941", and in line 3, insert a comma (",") after the word "vehicle" and before the word for"; and in line 4, strike out the word "act" and insert, in lieu thereof, the following: "Act act,".

5. Strike the legislative amendment of Mr. Doyle, and in lieu thereof, in the bill, Section 1, page 2, lines 11 and 14, strike the figures "12" and insert the figures "14" in lieu thereof, and in line 16 of said section, strike the figures "12" and insert the figures "10" in lieu thereof.

6. In the bill, Section 2, page 2, line 1, strike the word "and" and insert, in lieu thereof, the following: "C. S. Supp., 1941, and also", and in line 2 of said section, insert a comma (",") after the word "Supp.".

LEGISLATIVE BILL 28. Placed on Select File with amendments.

E and R amendments to L. B. 28:

1. In Standing Committee amendment No. 1, second line, insert a comma (",") after the word "contributions".

2. In Standing Committee amendment No. 2, third line, insert the word "a" after the word "than", and in the 4th line, insert a comma (",") after the word "and" and also after the word "further".

3. In legislature amendment by Cullingham, second line, strike the word "from", and insert in lieu thereof, the word "of".

4. In legislature amendment by Mr. Crosby, insert a comma (",") before the word "in", also after the word "discretion" in the subject matter in quotation marks in the second line of said amendment.

5. In the bill, Section 1, page 2, line 12, insert the word "a" after the word "or", and in Section 2, page 2, line 3, insert the word "a" after the word "by".

6. In the bill, Section 4, page 3, line 8, strike the following: ", and provided" and insert, in lieu thereof: "; Provided,".

7. In the bill, Section 5, line 2, page 3, strike the word "covered" and insert in lieu thereof, the words "those provided for".

8. In the bill, insert a comma (",") in the following places:

Title, page 1, 6th and 11th lines, after the word "university"; 12th line, after the word "employees"; and in Section 1, page 2, line 12, after the first word "annuity" appearing twice in said line, line 13, after the word "insurance" and after the word "regents"; and in Section 2, page 2, line 3, after the word "that", line 4, after the word "regents"; and in Section 3, page 2, line 1, after the word "plan", line 2, after the word "regents", line 9, after the word "company"; and in Section 4, page 3, line 3, after the word "employees", line 10, after the word "gifts"; and in Section 5, page 3, line 2, after the word "plans", line 3, after the word "Act"; and in Section 6, page 3, line 1, after the word "power", line 2, after the words "to time"; and in Section 7, page 3, line 1, after the word "plan", line 2, after the word "act".

9. In Standing Committee amendment No. 1, first line, strike the words "And the" and insert, in lieu thereof, the word "The".

LEGISLATIVE BILL 33. Placed on Select File with amendments.

E and R amendments to L. B. 33:

1. In the bill, title, first line, also Section 1, page 2, line 1, and Section 2, page 3, line 1, insert a comma (",") after the word and punctuation "Supp." and before the figures "1941"; and insert a comma (",") after the word "profits" and before the word "accumulated", in the bill, title, 5th line, and also after the word "dividend" and before the word "to", in the bill, title, 6th line; and in Section 1, page 2, insert a comma (",") in the following lines: Line 3, after the word "corporation"; line 4, after the word "article"; line 5, after the word "stock"; line 7, after the word "profits" and after the word "debts"; line 23, after the word "which"; line 26, after the word "profits"; and line 27, after the word "dividend".

2. In the bill, Section 1, page 2, line 3, strike the words "of any" and insert, in lieu thereof: "Any of any".

3. In the bill, Section 1, page 2, line 7, insert, after the word "required", the following: **"to be charged off".**

4. In the bill, Section 1, page 2, line 8, strike the word "directors" and insert, in lieu thereof: "~~director~~ **directors".**

5. In the bill, Section 1, page 2, line 9, strike the words "charged off. ~~but~~ Such" and insert, in lieu thereof, the following:

"~~charge~~ **charged off;** ~~but such.~~ **Such".**

6. In the bill, page 2, Section 1, line 19, strike the word "such" and insert, in lieu thereof, the following: "~~Such~~ **such".**

7. In the bill, Section 1, page 2, line 26, insert after the word "accumulated" and before the word **"since",** the punctuation ";".

8. In the bill, Section 2, page 3, line 2, strike the word "hereby".

LEGISLATIVE BILL 73. Placed on Select File with amendments.

E and R amendments to L. B. 73:

1. Strike Standing Committee amendments and legislature amendments by Mr. Greenamyre and Mr. Mueller.

2. In the bill, title, page 1, strike the 2nd, 3rd and 4th lines thereof and also the word "thereof" in the 5th line, and insert, in lieu thereof, the following words and punctuation:

> "; to provide state aid to encourage the construction and operation of such plants in this state using principally, in the manufacture of synthetic rubber, products of the kind generally grown on the farms of Nebraska; specifying the conditions for such state aid and the right of checking and inspection, by the Department of Agriculture and Inspection, to see that said conditions are complied with; providing such payment to be made out of the general fund of the state"

3. In the bill, Section 1, page 2, line 5, insert a comma (",") after the word "Treasurer".

4. In the bill, Section 1, page 2, strike the words "who constructs" in line 6, all of lines 7, 8, 9 and 10, and the words "of Ne-

braska" in line 11, and insert, in lieu thereof, the following words and punctuation:

> ", firm or corporation who or which constructs, and puts into production, the first plant in this state for the manufacture of synthetic rubber, which shall, during the first year of its operation, produce two thousand tons of such synthetic rubber, using principally, for the production thereof, products of the kind generally grown on the farms in Nebraska. Any person, firm or corporation, intending to claim the benefits of this act, is required to notify the Governor of Nebraska in writing, of such intention, not less than ten days before the commencement of production of such synthetic rubber, and is thereafter required to keep and submit for inspection, when requested, all contracts, purchase orders and invoices, during the said first year of operation, in order to show that such rubber is manufactured principally from products generally grown on the farms of Nebraska. The Department of Agriculture and Inspection shall have the right at all times to enter the premises, view the operations and inspect all contracts, purchase orders and invoices, in order to see that the conditions, imposed by this act, are being complied with by the person, firm or corporation intending to claim the benefits thereof".

LEGISLATIVE BILL 86. Placed on Select File with amendments.

E and R amendments to L. B. 86:

1. In the bill, title, page 1, 4th line, insert the word "Session" prior to the word "Laws" and strike the word "for", and insert a comma (",") in lieu thereof.

2. In the bill, Section 1, page 8, line 227, strike the word "insofar" and insert, in lieu thereof, the words "in so far", to make the same conform to photostatic copy of the original compact.

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 4. **State song.**

Introduced by H. P. Heiliger of Lancaster

A resolution to designate an official song for the State of Nebraska:

WHEREAS, the adoption of an official state song by the authority of the Legislature is desirable, therefore;

BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

That the song "My Nebraska", written by Theodore C. Diers, is adopted as the official state song.

Visitor

Mr. Osborne introduced Mr. J. S. Steele, a former member of the Legislature.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 248. By Craven of Lancaster, Carmody of Hitchcock and Burnham of Custer.

A bill for an act to amend sections 70-703 and 70-704, C. S. Supp., 1941, relating to public power and public power and irrigation districts; to provide that where any such district operates or is interested by ownership; lease or otherwise in the operation of, electric power plants, distribution systems, or transmission lines in more than fifty counties of the state, an amendment to the petition for the creation of the district shall be filed to provide for a board of directors consisting of seven members, of which six shall be elected by districts corresponding to the six Supreme Court Judicial Districts and the seventh at large; to prescribe the procedure for causing such amendment to be made; to provide for dissolution and liquidation of the district for failure to file such amendment; to provide the manner of increase or reduction of membership on the board of directors to seven, and the election to membership on the board of directors of such district; to provide representation on the board of directors of such district from districts corresponding to the six Supreme Court Judicial Districts; and to repeal the original sections.

LEGISLATIVE BILL 249. By Burnham of Custer.

A bill for an act to amend section 77-1613, Compiled Statutes of Nebraska, 1929, relating to taxation and revenue; to provide that errors contained in the description or quantity of any interest in school lands held under lease or contract of purchase on the tax list shall be conceded by the county clerk; and to repeal the original section.

LEGISLATIVE BILL 250. By Asimus of Holt.

A bill for an act to repeal sections 66-802, 66-803, 66-805, 66-806, 66-807, 66-809, and 66-810, C. S. Supp., 1941, relating to ports of entry; and to declare an emergency.

LEGISLATIVE BILL 251. By Weborg of Cuming.

A bill for an act relating to agriculture; to provide for the regulation and licensing of frozen food locker plants by the Department of Agriculture and Inspection; to define terms; to establish fees; to establish rules for the operation thereof; to provide for reports; and to provide for penalties.

LEGISLATIVE BILL 252. By Hanna of Cherry and Jeffords of Hooker.

A bill for an act to amend sections 54-153, 54-154, 54-160, and 54-169, C. S. Supp., 1941, relating to brand inspection; to provide that members of the Nebraska Brand Committee other than the Secretary of State shall be appointed by the Governor; to provide a change in the penalties provided for violation of the brand inspection act; to provide for detention of cattle being moved from any point within the brand area to a point outside the brand area and to prescribe the venue for prosecutions for violation thereof; and to repeal the original sections.

LEGISLATIVE BILL 253. By Bowman of Adams, Neubauer of Harlan and Osborne of Morrill.

A bill for an act to amend section 46-620, Compiled Statutes of Nebraska, 1929, relating to use of waters for irrigation that have been stored in a reservoir; to provide that waters stored in a reservoir constructed in accordance with an application approved by the Department of Roads and Irrigation may be carried by irrigation ditch or canal and used to irrigate land lying outside of the watershed of the stream from which such water was originally taken; and to repeal the original section.

LEGISLATIVE BILL 254. By Garber of Webster.

A bill for an act to amend section 60-407, C. S. Supp., 1941, relating to the use of the "motor vehicle operators' license fund"; to provide that the amount paid out of the motor vehicle operators' license fund for the support of the State Highway Patrol shall not exceed a specific sum appropriated for that purpose by the Legislature; and to repeal the original section.

LEGISLATIVE BILL 255. By Peterson of Lancaster.

A bill for an act relating to credit unions; to enact a general credit union law for Nebraska relating to credit unions, organized for the benefit of their members; to provide for their incorporation, powers, duties, operations, management, control, supervision, regulation, dissolution and for the renewal, extension or restoration of their corporate existence; to provide a method whereby cooperative credit associations may avail themselves of the benefits, rights and liabilities of this law.

LEGISLATIVE BILL 256. By Greenamyre of Madison.

A bill for an act to amend section 33-163, C. S. Supp., 1941, relating to fees; to provide that all moneys collected by special boards, bureaus, divisions or commissions, during the biennium ending June 30, 1945, except fifteen per cent credited from each and deposited in the general fund of the state, shall, when specifically appropriated by the Legislature, be made immediately available for the use and benefit of each special board, bureau, division or commission; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 257. By Gutoski of Douglas and Garber of Webster.

A bill for an act to amend Section 25, Article V, of the Constitution of Nebraska, relating to the powers of the Supreme Court; to give to the Supreme Court restricted power to make rules for the admission of applicants to practice law, which shall not be in conflict herewith or with any statute, and which shall not prevent graduates of Nebraska law schools from taking bar examinations or from being admitted to practice law; to provide for the manner of submission and form of ballot; and to provide the effective date of the proposed amendment, if adopted.

LEGISLATIVE BILL 258. By Sorrell of Otoe.

A bill for an act to amend section 20-2185, Compiled Statutes of Nebraska, 1929, relating to sales by referees in partition; to provide that whenever all of the parties having an interest in the real estate to be partitioned, or their legal representatives, consent in writing, or upon order by the court, the referee may employ a duly licensed real estate broker to obtain buyers upon terms of employment to be determined by the court; and to repeal the original section.

LEGISLATIVE BILL 259. By Committee on Public Works, by Martin J. Mischke of Knox, Chairman.

A bill for an act to authorize the Department of Roads and Irrigation to cooperate with the Public Roads Administration of the United States in the construction and maintenance of flight strips and of certain classes of highways, in order to facilitate the war effort; and to declare an emergency.

LEGISLATIVE BILL 260. By Thompson of Nance, Rakow of Antelope and Mischke of Knox.

A bill for an act to amend section 86-301, C. S. Supp., 1941, relating to telephone and telegraph companies; to provide for the height of placing aerial wires and cables above road crossings; and to repeal the original section.

LEGISLATIVE BILL 261. By Cullingham of Douglas, Tvrdik of Douglas and Klaver of Douglas.

A bill for an act to amend section 14-1015, C. S. Supp., 1941, relating to the powers of metropolitan water and metropolitan utilities districts; to authorize the board of directors of metropolitan water or metropolitan utilities districts to create a personnel system, merit system, or partial or complete civil service system for their employees; to authorize the delegation of authority to a personnel officer or to a commission created by such board of directors to aid in the administration of any plan adopted; to empower the board of directors of such districts to provide benefits for present and future appointees and employees against accident, disease, death, disability or retirement under plans and conditions determined by the board; to empower such board of directors to establish and maintain reserves and funds and provide for costs and insurance premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide limits of retirement income for such retired and disabled employees and appointees; and to repeal the original section.

LEGISLATIVE BILL 262. By Klaver of Douglas, Tvrdik of Douglas and Cullingham of Douglas.

A bill for an act authorizing the board of directors of metropolitan water or metropolitan utilities districts to create a personnel system, merit system, or partial or complete civil service system for their employees; authorizing the delegation of authority to a personnel officer or to a commission created by said board of directors to aid in the administration of any plan adopted.

LEGISLATIVE BILL 263. By Foster of Douglas and Klaver of Douglas.

A bill for an act relating to discrimination in the employment of labor; to provide that it shall be unlawful to refuse employment to any person in the production of military or naval material, equipment or supplies on account of race, color, creed, religion or national origin of such person; and to provide a penalty.

LEGISLATIVE BILL 264. By Crosby of Lincoln.

A bill for an act to amend section 72-211, C. S. Supp., 1941, relating to educational lands and funds; to provide what educational lands may be sold and to whom; to provide for condemnation proceedings; to provide for payment of damages; and to repeal the original section.

LEGISLATIVE BILL 265. By Hanna of Cherry.

A bill for an act to amend sections 72-235 and 72-236, C. S. Supp., 1941, relating to school lands; to provide which lands may be sold; to provide for the manner and method of sale of such lands; to provide for action in partition of undivided interests in realty; and to repeal the original sections.

LEGISLATIVE BILL 266. By Raecke of Merrick.

A bill for an act to amend section 79-1609, C. S. Supp., 1941, relating to apportionment of funds in the treasury applicable to the support of the schools; to provide that in the making of the apportionment, the State Treasurer shall distribute to any and all counties in which there are saline lands owned by the state, an additional amount sufficient to equal the money that would be raised by taxation upon the state saline lands, were such land subject to taxation; and to repeal the original section.

LEGISLATIVE BILL 267. By Dooley of Sarpy.

A bill for an act requiring the transfer of land located entirely within the boundaries of one school district, but appearing of record to be a part of another school district, to the district in which it is located, upon the petition of the owner thereof; and declaring an emergency.

LEGISLATIVE BILL 268. By Rakow of Antelope.

A bill for an act relating to copyrights and public performing rights in musical compositions; to regulate the issue of licenses with respect thereto; to prohibit discrimination; to levy a privilege tax; to provide penalties; and to repeal all of Article 12, Chapter 59, C. S. Supp., 1941.

LEGISLATIVE BILL 269. By Peterson of Lancaster.

A bill for an act to authorize the Department of Roads and Irrigation, with the approval of the Governor and upon such terms as he shall prescribe, to transfer to any other department, institution or agency of the state, any materials salvaged and recovered from and through the construction, reconstruction or repair of a state highway when such salvaged materials are not presently needed by the Department of Roads and Irrigation to carry on its work.

LEGISLATIVE BILL 270. By Peterson of Lancaster.

A bill for an act to amend section 79-2102, C. S. Supp., 1941, relating to schools; to provide that a school bus owned by a school district and driven by a regular employee shall not be regarded as a public conveyance and the employee shall not be an independent contractor; and to repeal the original section.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
231	Craven	Public Health & Misc. Subs.
232	Reavis	Revenue
233	Greenamyre	Banking, Com. & Ins.
234	Hubka	Labor & Public Welfare
235	Brodahl	Revenue
236	Brodahl, Neubauer	Education
237	Ogden	Judiciary
238	Heiliger	Government
239	Gutoski, Ogden	Banking, Com. & Ins.
240	Foster	Judiciary
241	Asimus	Revenue
242	Conklin	Government
243	Osborne, by request	Public Health & Misc. Subs.

244	Gutoski, et al	Government
245	Gutoski	Public Health & Misc. Subs.
246	Hubka, et al	Public Health & Misc. Subs.
247	Klaver, by request	Judiciary

SELECT FILE

LEGISLATIVE BILL 24. E and R amendments, found in the Legislative Journal for the Seventeenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 25. E and R amendments, found in the Legislative Journal for the Seventeenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 90. E and R amendments, found in the Legislative Journal for the Seventeenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 37. E and R amendments, found in the Legislative Journal for the Seventeenth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 31. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Mr. Gutoski offered the following amendment, which was adopted:

Amend the Standing Committee amendment by adding after the word and punctuation "eliminated." the following: "The said receipts may be pre-written and the cost thereof shall be paid for by the County Board out of the county general fund."

Unanimous consent was granted to add the following names as co-introducers: Charles F. Tvrdik, Cliff N. Ogden, William J. Norman, Harry A. Foster.

Referred to E and R for review.

LEGISLATIVE BILL 32. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifteenth Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend page 2, section 1, line 24 by striking the words "not improved".

Unanimous consent was granted to add the following names as co-introducers: Sidney J. Cullingham, Harry A. Foster, Sam Klaver, Peter P. Gutoski.

Referred to E and R for review.

Visitor

Mr. Tvrdik introduced Mr. Ernest A. Adams, a former member, who addressed the Legislature briefly.

LEGISLATIVE BILL 83. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 80. Read and considered.

Mr. Rakow presiding

Mr. Raecke offered the following amendment, which was adopted:

Amend by striking Section 3.

Amend the title, line 9, by striking the words "and to declare an emergency".

Referred to E and R for review.

LEGISLATIVE BILL 21. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Sixteenth Day, was adopted.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend the title to conform to Section 1.

Mr. Greenamyre moved to refer the bill to E and R for review.

Mr. Garber offered a substitute motion that the bill be held on General File and correlated with other salary increase bills.

The motion was lost with 12 ayes, 21 nays, 10 not voting.

Mr. Greenamyre's motion to refer to E and R for review was stated.

The motion prevailed with 22 ayes, 11 nays, 10 not voting.

LEGISLATIVE BILL 35. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 3. Passed over. Placed at foot of General File.

LEGISLATIVE BILL 84. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Seventeenth Day, was adopted.

Laid over. Retains place on file.

LEGISLATIVE BILL 85. Read and considered.

Referred to E and R for review.

Visitor

Mr. Mekota introduced Mr. Alois Slepicka, a former member, who addressed the Legislature briefly.

Adjournment

At 12:00 m. Mr. Gutoski moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Friday.

The motion prevailed with 32 ayes, 1 nay, 10 not voting.

Hugo F. Srb
Clerk of the Legislature.

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, January 29, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Eighteenth Day was approved as corrected.

PETITIONS AND MEMORIALS.

Mr. Gantz introduced a petition urging continuation of the chemurgy project in Nebraska.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. 178, Tuesday, February 9, 1943, 2:00 p. m.

L. B. 196, Tuesday, February 9, 1943, 2:00 p. m.

Revenue

L. B. 190, Thursday, February 18, 1943, 2:00 p. m.

L. B. 199, Tuesday, February 23, 1943, 2:00 p. m.

Government

L. B. 182, Friday, February 5, 1943, 2:00 p. m.

L. B. 79, changed to Wednesday, February 10, 1943, 2:00 p. m.
(originally set for February 5)

Public Works

L. B. 204, Wednesday, February 10, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 104. Indefinitely postponed.

LEGISLATIVE BILL 110. Placed on General File with amendments.

Standing Committee amendments to L. B. 110:

1. On page 2, Section 1, line 4, strike the word "**November**" and insert in lieu thereof the word "**December**".

2. In Section 1, line 5, strike the word "**each**" and insert in lieu thereof the word "**such**".

3. In Section 1, lines 6 and 7, strike the punctuation and words "**, which will become due on November 1**".

4. In Section 1, line 8, after the figure "**1**" and before the punctuation "," insert the words "**next following**".

5. In Section 1, line 19, strike the figure "**2**" and insert in lieu thereof the figure "**1**".

6. In Section 1, lines 25 and 26, strike the words "**within ninety days after July 2**" and insert in lieu thereof the words "**on or before September 1**".

7. On page 3, Section 2, line 8, strike the word "**six**" and insert in lieu thereof the word "**four**".

8. In Section 2, line 12, after the word and punctuation "same." insert the following: "**Notwithstanding any partial payment, the sheriff shall make levy and return thereof on said distress warrant, as required by law.**"

(Signed) Raecke, Chairman

Enrollment & Review

Correctly engrossed

L. B. 42	L. B. 34	L. B. 12
L. B. 23	L. B. 17	L. B. 29
L. B. 39		

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 4. State song.

Mr. Heiliger moved its adoption.

Messrs. Hanna, Mischke and Rakow moved to amend Legislative Resolution 4 by striking the words "My Nebraska" and inserting in lieu thereof the words "Home on the Range."

Mr. Klaver moved that the amendment to the resolution be amended to read "My Wild Irish Rose".

Mr. Conklin moved to table the entire matter.

Mr. Conklin's motion prevailed.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 271. By Hubka of Gage

A bill for an act to amend section 2-1401, C. S. Supp., 1941, relating to agriculture; to provide for the control and eradication of field bindweed; to provide that the owner, or all of the owners, of a section or more of land lying in one body within any county may request that material and equipment be furnished for the control and eradication of bindweed, and may also adopt a plan of eradication and control; to make applicable where such is done the provisions of the field bindweed act, and the duties of certain county and state officers and property owners with respect thereto; and to repeal the original section.

LEGISLATIVE BILL 272. By Sorrell of Otoe.

A bill for an act to amend section 60-302, C. S. Supp., 1941, relating to motor vehicles; to prohibit the issuance of a registration certificate to any motor vehicle owner who shall not submit proof of ability to respond in damages for any damages caused to person or property as the result of the operation of such motor vehicle; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 273. By Craven of Lancaster and Crossland of Wayne.

A bill for an act to amend sections 77-701 and 77-704, Compiled Statutes of Nebraska, 1929, and section 77-703, C. S. Supp., 1941, relating to revenue and taxation; to provide that intangible property belonging to a nonresident of Nebraska and having a business situs in this state shall be taxed in the same manner and at the same rate as other intangible property; and to repeal the original sections.

LEGISLATIVE BILL 274. By Rakow of Antelope.

A bill for an act to amend section 71-1404, Compiled Statutes of Nebraska, 1929, relating to public health; to define and prescribe the standards for an accredited medical school; and to repeal the original section.

LEGISLATIVE BILL 275. By Rakow of Antelope and Thompson of Nance.

A bill for an act to amend section 27-507, Compiled Statutes of Nebraska, 1929, relating to county judge; to provide that county judge may appoint an acting county judge to serve without bond; to provide that the appointment of such judge is subject to revocation of the county judge; and to repeal the original section.

LEGISLATIVE BILL 276. By Rakow of Antelope.

A bill for an act to amend section 29-504, Compiled Statutes of Nebraska, 1929, relating to criminal procedure; to provide that when the complaint is for a felony, upon the accused being brought before a magistrate, the magistrate shall inquire into the complaint to determine if an offense has been committed and there is probable cause to believe that the accused committed the offense, and no plea shall be taken or entered against the accused; and to repeal the original section.

LEGISLATIVE BILL 277. By Thomas of Clay and Mueller of Buffalo.

A bill for an act to amend section 68-260, C. S. Supp., 1941, relating to old age assistance; to increase the maximum amount that may be paid to any person as assistance from thirty dollars per month to forty dollars per month; and to repeal the original section.

LEGISLATIVE BILL 278. By Neubauer of Harlan, Carmody of Hitchcock and Craven of Lancaster.

A bill for an act relating to oil, gas, and mineral rights; providing that it shall be unlawful for the owner of real estate, in making a conveyance thereof, to convey or reserve oil, gas or mineral rights, except leases for a period of not to exceed ten years, separate from the title to or ownership of the surface of the land; requiring payment to the owner of the surface of real estate of at least one-eighth of the oil, gas or minerals mined or produced thereon or thereunder; and declaring the effect of conveyances made in violation of this act.

LEGISLATIVE BILL 279. By Foster of Douglas.

A bill for an act to amend section 71-209, C. S. Supp., 1941, relating to the expiration, renewal, lapsation, and reinstatement of licenses for the professions of medicine and surgery, osteopathy, chiropractic, dentistry, pharmacy, chiropody, optometry, embalming and veterinary medicine and surgery; to provide for the waiving of delinquent renewal fees upon the reinstatement of licenses lapsed by failure to renew the same while any such licensee was serving in the military service of the United States; and to repeal said original section.

LEGISLATIVE BILL 280. By Sorrell of Otoe and Craven of Lancaster.

A bill for an act to amend section 77-702, C. S. Supp., 1941, relating to taxation; to provide that every person, partnership, firm, or corporation, transacting business in the state and subject to the supervision of the Department of Banking except banks and trust companies which are assessed and pay taxes upon its shares of stock, shall be assessed and pay taxes upon their tangible and intangible property in the same manner as other persons, partnerships, firms, or corporations, except banks and trust companies, are assessed and taxed; and to repeal the original section.

LEGISLATIVE BILL 281. By Craven of Lancaster and Reavis of Richardson.

A bill for an act to amend sections 88-220 and 88-225, C. S. Supp., 1941, relating to public grain warehouses; to eliminate the exception provided for in said section 88-220, C. S. Supp., 1941, with reference to warehouses licensed under the United States Warehouse Act; to eliminate the exemption granted to warehousemen operating thereunder; to prescribe the commodities to be included in the word "grain" as used in Article 2, Chapter 88, C. S. Supp., 1941; to repeal said original sections; to repeal section 88-232, C. S. Supp., 1941; and to declare an emergency.

LEGISLATIVE BILL 282. By Crosby of Lincoln.

A bill for an act to amend section 20-2229, Compiled Statutes of Nebraska, 1929, relating to publication of legal notices in legal newspapers; to provide that when a newspaper is published regularly four or more times each week, it shall be deemed a daily newspaper within the meaning of that term as used in this act; and to repeal the original section.

LEGISLATIVE BILL 283. By Craven of Lancaster.

A bill for an act to amend section 70-705, C. S. Supp., 1941, relating to public power and public irrigation districts; to provide for disqualification of member of board of directors; to provide procedure of annual audit and what same shall contain; and to repeal the original section.

LEGISLATIVE BILL 284. By Anderson of Dawson, Neubauer of Harlan and Crosby of Lincoln.

A bill for an act relating to carrying on experiments pertaining to the furtherance and promotion of agriculture; to provide for the establishment of a substation of the Agricultural Experiment Station of the University of Nebraska, within the limits of Gosper, Phelps, Kearney and Adams Counties, where various experiments shall be conducted; to appropriate twelve thousand dollars for the biennium ending June 30, 1945, for carrying on this work; and to empower the Board of Regents of the University of Nebraska to enforce the provisions of this act and to enter into a contract with the Central Nebraska Public Power and Irrigation District with respect thereto.

LEGISLATIVE BILL 285. By Peterson of Lancaster and Gantz of Box Butte.

A bill for an act to amend section 20-1520, C. S. Supp., 1941, relating to manner of levy of execution or attachment on corporate stock; to provide that upon levy of distress warrant issued for nonpayment of taxes that the officer need not seize the certificate or cause it to be surrendered to the corporation; and to repeal the original section and also section 24-1913, C. S. Supp., 1941.

LEGISLATIVE BILL 286. By Greenamyre of Madison, Thompson of Nance and Neubauer of Harlan.

A bill for an act relating to public power districts, public power and irrigation districts and public irrigation districts, their organization, government, management, operation, rights, powers, duties and obligations; to amend sections 70-704, 70-705, 70-706, 70-710, 70-711 and 70-716, C. S. Supp., 1941; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 287. By Mueller of Buffalo.

A bill for an act to repeal sections 59-505, 59-506, and 59-507, Compiled Statutes of Nebraska, 1929, and sections 59-527, 59-528, and 59-529, C. S. Supp., 1941, relating to unlawful discrimination in business.

LEGISLATIVE BILL 288. By Mueller of Buffalo.

A bill for an act to amend section 54-601, Compiled Statutes of Nebraska, 1929, relating to destruction of animals by dogs; to provide for damages by reason of dog or dogs killing, wounding, worrying or chasing any sheep or other domestic animals, or turkeys or other poultry; and to repeal the original section.

LEGISLATIVE BILL 289. By Committee on Agriculture, Neubauer of Harlan, Chairman.

A bill for an act to amend sections 81-1030 and 81-1033, C. S. Supp., 1941, relating to the purchase, sale and shipment of eggs; to provide that all eggs purchased must be candled before shipment or resale; to eliminate the exception that eggs previously candled may be bought and sold without recandling; to provide penalties for violation of rules and regulations lawfully promulgated by the Department of Agriculture and Inspection; and to repeal the original sections.

LEGISLATIVE BILL 290. By Foster of Douglas, Gutoski of Douglas and Tvrdik of Douglas.

A bill for an act creating in the Department of Labor a division of elevator inspection; to provide for the appointment of an elevator inspector and assistant elevator inspectors, their qualifications, duties and compensation; to provide for the inspection and supervision of the operation of passenger and freight elevators and escalators; to provide for the issuance, suspension or revocation of permits for such operation and for the collection of permit fees; to provide for the use of such permit fees; to provide for the enforcement of this act; and to provide for a penalty.

LEGISLATIVE BILL 291. By Brodahl of Saunders.

A bill for an act to amend section 26-133, C. S. Supp., 1941, relating to county government and officers; to provide the method of nomination and election of county commissioners; and to repeal the original section.

LEGISLATIVE BILL 292. By Foster of Douglas.

A bill for an act relating to railroads; to provide that railroads shall furnish hospital facilities for their employees in certain cases; to establish rules; and to provide penalties.

LEGISLATIVE BILL 293. By Committee on Banking, Commerce and Insurance, Peterson of Lancaster, Chairman.

A bill for an act to amend section 75-225, Supp., 1941, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to confer upon the State Railway Commission the power and authority to classify contract carriers and common carriers and to prescribe rules, regulations and requirements to be observed by such carriers so classified; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL 294. By Tvrdik of Douglas, Ogden of Douglas and Gutoski of Douglas.

A bill for an act to amend sections 66-405 and 66-417, Compiled Statutes of Nebraska, 1929, relating to taxation upon the sale, distribution and use of motor vehicle fuels; to provide that dealers or other persons having paid the tax or liable for its payment shall collect the amount thereof from any person to whom said motor vehicle is sold in this state along with the selling price thereof; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 295. By Peterson of Lancaster and Crosby of Lincoln.

A bill for an act relating to public health and to the control of preventable diseases; to authorize counties to establish and maintain local health departments therein; to authorize the levy and collection of taxes therefor; to authorize two or more counties or city and county to contract for joint or concurrent action to carry out the purpose of this act; to authorize the drawing of warrants on county funds and approval of claims; to provide for keeping of records; to provide for salaries; to provide for organization; and to state validity clause.

LEGISLATIVE BILL 296. By Craven of Lancaster.

A bill for an act relating to the organization, licensing and control of industrial loan and investment companies; to regulate the making of installment loans by such companies; to provide maximum charges on such loans; to prescribe the manner and method of making, collection, payment, and enforcement of such loans; to amend sections 45-101 and 45-102, C. S. Supp., 1941, to provide penalties for violation of this act; and to repeal the original sections.

LEGISLATIVE BILL 297. By Tvrdik of Douglas, Hanna of Cherry and Mischke of Knox.

A bill for an act relating to revenue; to authorize county boards and the governing bodies of municipalities to levy during each of the years 1943 and 1944, an annual tax of not to exceed one half mill upon all the taxable property within their corporate limits for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the Emergency Act of 1941 and 1942; to limit the cost of administration of all activities thereunder in all counties having a population of less than one hundred fifty thousand inhabitants to an amount not exceeding five per cent of the moneys arising under this act; to limit the cost of administration of all activities conducted thereunder in all counties having a population of more than one hundred fifty thousand inhabitants to an amount not exceeding ten per cent of the moneys arising under this act; to repeal sections 77-1829, 77-1830, and 77-1831, C. S. Supp., 1941; and to declare an emergency.

LEGISLATIVE BILL 298. By Gantz of Box Butte, by request.

A bill for an act to amend section 39-1106, C. S. Supp., 1941, relating to the operation of motor vehicles on the highway; to prohibit the operation of a motor vehicle on the highway while the driver is under the influence of alcoholic liquor or any drug; to define the term "while under the influence of alcoholic liquor or any drug"; and to repeal the original section.

LEGISLATIVE BILL 299. By Gantz of Box Butte, by request.

A bill for an act to amend section 30-1701, C. S. Supp., 1941, relating to proceedings for determination of heirship; to provide that a petition for determination of heirship may be filed by any person who has any interest in the land where the deceased was a co-owner of the land even though such interest cannot be traced from the petitioner to the deceased former co-owner; and to repeal the original section.

LEGISLATIVE BILL 300. By Lee of Dodge and Greenamyre of Madison.

A bill for an act to amend section 19-801, Compiled Statutes of Nebraska, 1929, relating to aviation fields; to provide for levy of taxes for maintenance, improvement, management, landscaping or beautifying the same and for the payment of personal employment in performance of such labor; and to repeal the original section.

LEGISLATIVE BILL 301. By Committee on Agriculture, Neubauer of Harlan, Chairman.

A bill for an act to amend section 81-1037, C. S. Supp., 1941, relating to dairy industry; to provide that the price paid for butterfat in second grade cream shall be at least three cents per pound less than that paid for butterfat in first grade cream; and to repeal the original section.

Visitor

Mr. Garber introduced Mr. Edward McEachen who addressed the Legislature briefly.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
248	Craven, et al	Public Works
249	Burnham	Education
250	Asimus	Public Works
251	Weborg	Agriculture
252	Hanna, Jeffords	Agriculture
253	Bowman, et al	Public Works
254	Garber	Public Works
255	Peterson	Banking Com. & Ins.
256	Greenamyre	Appropriations
257	Gutoski, Garber	Judiciary
258	Sorrell	Judiciary
259	Committee on Public Works, Mischke, Chairman	Public Works

260	Thompson, et al	Public Works
261	Cullingham, et al	Government
262	Klaver, et al	Government
263	Foster, Klaver	Labor & Public Welfare
264	Crosby	Education
265	Hanna	Education
266	Raecke	Education
267	Dooley	Education
268	Rakow	Public Health & Misc. Subs.
269	Peterson	Public Works
270	Peterson	Education

BILLS ON THIRD READING

LEGISLATIVE BILL 4. Read. Passed over.

SELECT COMMITTEE REPORT

Council of State Governments

Mr. Peterson gave an oral report of the Sixth General Assembly of the Council of State Governments, held in Baltimore, January 24-26, 1943, and answered a number of questions propounded by the members of the Legislature.

MOTION—Vote of Thanks

Mr. President: I move that a vote of thanks be given Senator Peterson for the complete, most interesting and educational report that he has given the members of the Legislature today.

(Signed) Klaver

The motion prevailed with 41 ayes, no nays, 2 not voting.

Upon request by Mr. Greenamyre, unanimous consent was granted to place a copy of Mr. Peterson's report in the Journal at a later date, after the same has been reduced to writing.

Request—To add Name as Introducer

Mr. Brodahl requested that the name of William A. Crossland be added to L. B. 236 as a co-introducer.

So ordered.

Member excused

Mr. Rakow was excused from the session on Monday, February 1.

Adjournment

At 12:02 p. m. Mr. Garber moved that the rules be suspended and that the Legislature adjourn until Saturday, January 30, at 9:00 a.m.

The motion was lost with 8 ayes, 28 nays, 7 not voting.

Mr. Greenamyre moved that the rules be suspended and that the Legislature adjourn until Monday, February 1, 1943 at 10:00 a.m.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Hugo F. Srb
Clerk of the Legislature.

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska.
Monday, February 1, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Reverend Thomas A. Barton, of Lincoln.

The roll was called and all members were present except Mr. Rakow, who was excused; and except Mr. Gantz and Mr. Greenamyre who were excused until 11:30 a. m.

The Journal for the Nineteenth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Raecke introduced a petition favoring the jury bill, L. B. 82; Mr. Tvrdik, one favoring assistance to widowed or divorced mothers.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 123 Wednesday, February 10, 1943, 2:00 p.m.

L. B. 203 Wednesday, February 10, 1943, 2:00 p.m.

Judiciary

L. B. 189 Monday, February 8, 1943, 2:00 p.m.

Public hearings on Legislative Bills Nos. 143, 144 and 145 will be held as follows:

1. Proponents of Rules of Civil Procedure 7:30 p. m. Monday February 8, 1943, in Legislative Chamber.

2. Opponents of Rules of Civil Procedure 7:30 p. m. Tuesday, February 9, 1943, in Legislative Chamber.

3. Rebuttal of Proponents, 2:00 p. m. Wednesday, February 10, 1943 in Supreme Court Commission Room.

Public Health and Miscellaneous Subjects

L. B. 100	Friday, February 5, 1943, 2:00 p.m.
L. B. 118	Wednesday, February 10, 1943, 2:00 p.m.
L. B. 246	Wednesday, February 10, 1943, 2:00 p.m.
L. B. 150	Friday, February 12, 1943. 2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 1. Placed on General File with amendments.

Standing Committee amendments to L. B. 1:

1. Amend page 2 of the bill, section 1, line 10, by inserting after the period following the word "act" the following:

"Blending depots must be approved by the administrator and all blending shall be done under the supervision of an inspector of the Department of Agriculture and Inspection."

2. Amend page 3 of the bill, section 2, lines 25 to 27, by striking the comma and substituting a period in line 25 and striking the rest of the sentence.

LEGISLATIVE BILL 133. Placed on General File.

(Signed) Neubauer, Chairman

Judiciary

LEGISLATIVE BILL 76. Indefinitely postponed.

LEGISLATIVE BILL 49. Indefinitely postponed.

LEGISLATIVE BILL 63. Indefinitely postponed.

LEGISLATIVE BILL 65. Indefinitely postponed.

(Signed) Gantz, Chairman

Government

LEGISLATIVE BILL 61. Placed on General File.

LEGISLATIVE BILL 62. Placed on General File.

(Signed) Doyle, Chairman

Enrollment and Review

LEGISLATIVE BILL 99. Placed on Select File with amendments.

E and R amendments to L. B. 99:

1. In Standing Committee amendment No. 1, add a period after the word "available" and before the quotation mark, and underscore the subject matter in quotation marks.

2. In the bill, title, 3rd line, strike the words "in any one year".

3. In the bill, Section 1, page 2, line 10, strike the word "condition" and insert in lieu thereof, the following: "~~condition~~ **conditions**".

4. In the bill, Section 1, page 2, line 11, strike the words "And at" and insert, in lieu thereof, the following: "~~And at~~ **At**".

5. In the bill, Section 1, page 2, lines 13 and 14, strike the words and punctuation "; and the said" and insert in lieu thereof, the following: "; ~~and the said~~ **. The**"

6. In the bill, Section 1, page 2, line 16, after the word "have" and before the word "power", insert the word **"the"**.

7. In Standing Committee amendment No. 3, in the first and second lines thereof, strike the words "in the third line" and insert in lieu thereof: "after the words 'to provide' ".

LEGISLATIVE BILL 66. Placed on Select File with amendments.

E and R amendments to L. B. 66:

1. In the Legislative amendment by Mr. Crosby, strike the word figure and punctuation: "Sec. 2." and insert, in lieu thereof, "Section 1.".

2. In Standing Committee amendment No. 3, strike the word "printed" in the first line thereof.

3. In the bill, title, page 1, second line, strike the word "intended".

(Signed) James H. Anderson, Chairman.

Rules

Mr. President: The Rules Committee met on February 1, 1943, roll call was had and all members were present but Senator Hubka.

We discussed the question on amending Rule 12, Section 3. The following motion was made by Senator Crosby: I move to amend Rule 12, Section 3 of the rules of the Nebraska Legislature by striking the period after the word Governor in line 3 and inserting the following: "or by a standing committee upon the vote of a majority of its members".

Motion was carried.

(Signed) Sorrell, Chairman.

MOTION—To Amend Rules

Mr. President: I move to amend the rules of the Nebraska Legislature as follows: Amend Rule 12, Sec. 3 by striking the period after the word Governor, in line 3, and inserting a comma therefor, and add the following, "or by a standing committee upon the vote of a majority of its members".

(Signed) Sorrell.

The motion prevailed with 35 ayes, no nays, 8 not voting.

The President declared the amendment adopted.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 302. By Crosby of Lincoln.

A bill for an act to amend section 81-111, Compiled Statutes of Nebraska, 1929, relating to the term of office of the heads of executive departments; to provide that the heads of such departments shall hold office at the pleasure of the Governor instead of a fixed term of two years unless sooner removed; and to repeal the original section.

LEGISLATIVE BILL 303. By Heiliger of Lancaster.

A bill for an act to amend section 32-802, C. S. Supp., 1941, relating to elections; to provide that an elector who appears before the county clerk, as issuing officer, in person, to obtain his ballot and vote it before leaving home, must do so at least two clear days before the election; and to repeal the original section.

LEGISLATIVE BILL 304. By Gantz of Box Butte.

A bill for an act to repeal Article 7, Chapter 76, Compiled Statutes of Nebraska, 1929, relating to Torrens Title System.

LEGISLATIVE BILL 305. By Gantz of Box Butte.

A bill for an act to repeal Article 12, Chapter 74, Compiled Statutes of Nebraska, 1929, relating to interurban railroads.

LEGISLATIVE BILL 306. By Gantz of Box Butte.

A bill for an act to repeal Article 12, Chapter 2, Compiled Statutes of Nebraska, 1929, relating to forest reserves for cities and towns.

LEGISLATIVE BILL 307. By Gantz of Box Butte.

A bill for an act to repeal Article 21, Chapter 77, Compiled Statutes of Nebraska, 1929, and all amendments thereof, relating to scavenger tax sale proceedings.

LEGISLATIVE BILL 308. By Gantz of Box Butte.

A bill for an act to repeal Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, relating to county foundations and community trusts.

LEGISLATIVE BILL 309. By Crossland of Wayne.

A bill for an act relating to revenue and taxation; to provide for the curing of defects in tax foreclosure proceedings heretofore had; to provide the manner of service and procedure; to provide for damages and costs sustained by an adverse party under certain circumstances; to provide a penalty for making false return of service; to provide the fees and mileage that may be taxed as costs; and to declare an emergency.

LEGISLATIVE BILL 310. By Crossland of Wayne.

A bill for an act to amend section 24-1314, C. S. Supp., 1941, relating to cooperative credit associations; to provide that demand deposits of money with a cooperative credit association by a member may be withdrawn by such member by means of a negotiable sight draft, or a negotiable check payable on demand; and to repeal the original section.

LEGISLATIVE BILL 311. By Thompson of Nance and Crossland of Wayne.

A bill for an act to amend section 33-128, C. S. Supp., 1941, relative to salaries and fees of members of the county board; to provide that each member of the county board shall receive, without regard to the maximum limitation upon compensation provided to be paid for per diem and mileage, the sum of five cents per mile for each mile necessarily traveled in excess of twenty miles, to be paid out of the county general fund, and the sum of five cents per mile for each mile necessarily traveled while employed in directing road work; and to repeal the original section.

LEGISLATIVE BILL 312. By Sorrell of Otoe, by request.

A bill for an act relating to revenue; to equalize taxation and replace in part the tax property; to provide the public revenue to be used for such replacement by imposing a tax upon the privilege of engaging in the business of selling tangible personal property at retail, and by imposing a tax upon the privilege of engaging in the business of selling services, substances and things hereinafter in this act designated and defined; to provide for the collection of such taxes, the distribution and use of the revenue derived therefrom and the administration of said law; to provide for certain deductions and exemptions; to provide for penalties; and to repeal all laws or parts of laws in conflict with this act.

LEGISLATIVE BILL 313. By Sorrell of Otoe.

A bill for an act to amend section 77-1921, Compiled Statutes of Nebraska, 1929, relative to taxation; to provide that it shall be unlawful to remove buildings situated within the corporate limits of any city or village which has an unpaid bonded indebtedness, without paying taxes thereon at the same rate as the building was assessed the preceding year, for the length of time that the bonded indebtedness has to run; and to repeal the original section.

LEGISLATIVE BILL 314. By Sorrell of Otoe.

A bill for an act to amend section 39-826, Compiled Statutes of Nebraska, 1929, relating to county bridges; to provide that when two or more counties have entered into an agreement for maintenance and repair of a bridge upon the county line by one of the counties, it shall be the duty of the county agreeing to maintain and keep in repair such bridge to promptly erect adequate barricades to prevent accidents whenever the condition of such bridge or the approaches thereto are dangerous to public travel, and to diligently proceed with the repair thereof; to provide for the enforcement of such duty by mandamus by the other counties to such agreement; and to repeal the original section.

LEGISLATIVE BILL 315. By Mueller of Buffalo.

A bill for an act relating to boats; providing that adequate life preservers be maintained on boats that are used on any lake or navigable river in Nebraska; and to provide a penalty.

LEGISLATIVE BILL 316. By Crossland of Wayne, Raecke of Merrick and Reavis of Richardson.

A bill for an act to amend section 80-301, C. S. Supp., 1941, relating to soldiers and sailors; to provide that the privileges of the Nebraska Soldiers' and Sailors' Home be extended to include veterans or certain dependents of Veterans of World War II; and to repeal the original section.

LEGISLATIVE BILL 317. By Committee on Agriculture, Neubauer of Harlan, Chairman.

A bill for an act to amend section 2-118, C. S. Supp., 1941, relating to the Nebraska State Board of Agriculture; to provide for assistance by the State of Nebraska in paying interest on Nebraska state fair grandstand bonds when the revenue from grandstand receipts is insufficient for that purpose; to repeal the original section and also section 2-115, C. S. Supp., 1941, and to declare an emergency.

LEGISLATIVE BILL 318. By Anderson of Scotts Bluff.

A bill for an act to amend section 83-731, Compiled Statutes of Nebraska, 1929, relating to discharge of patients from the state hospital for the insane; to provide that when a patient is discharged from such a hospital, whether with or without application therefor, notice of the order of discharge shall at once be sent by the superintendent of the hospital to the clerk of the district court of the county from which the patient was committed and the clerk of the district court shall thereupon enter the same upon his records; and to repeal the original section.

LEGISLATIVE BILL 319. By Crosby of Lincoln.

A bill for an act relating to gravel pits; to provide that anyone operating a gravel pump shall run the waste sand back into the hole from which the gravel was taken; and to provide a penalty.

LEGISLATIVE BILL 320. By Crosby of Lincoln.

A bill for an act relating to the mobilization of paid and volunteer firemen in time of war; to prescribe the powers, duties and responsibilities of the Governor and other public officials in connection therewith; to provide the manner and method of carrying out such mobilization; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 321. By Brodahl of Saunders.

A bill for an act relating to cities and villages; to provide that cities and villages shall have power to levy a one mill levy on all taxable property within the city or village until March 1, 1945, for the purpose of providing adequate policing to enforce the law where such city or village is located within a defense area.

LEGISLATIVE BILL 322. By Peterson of Lancaster, Tvrdik of Douglas and Craven of Lancaster.

A bill for an act to amend section 27-336, Compiled Statutes of Nebraska, 1929, relating to stenographic court reporters; to provide for salaries; and to repeal the original section.

LEGISLATIVE BILL 323. By Osborne of Morrill.

A bill for an act relating to poultry; to prohibit the use of the word "certified" or other like word or form of words in advertising or selling of hatchery products, poultry, breeding stock, chicks or turkey poults in the State of Nebraska, unless inspected and certified as provided for in this act; to provide for such inspection and certification; and to prescribe penalties.

LEGISLATIVE BILL 324. By Osborne of Morrill.

A bill for an act to amend section 39-11,101, C. S. Supp., 1941, relating to legal rate of speed of vehicles; to provide for the rate of speed of vehicles upon highways until March 1, 1945; and to repeal the original section.

LEGISLATIVE BILL 325. By Conklin of Thayer, Mueller of Buffalo and Neubauer of Harlan.

A bill for an act to repeal Article 10, Chapter 60, C. S. Supp., 1941, relating to certificates of title to motor vehicles.

LEGISLATIVE BILL 326. By Reavis of Richardson, by request.

A bill for an act to amend section 39-2107, C. S. Supp., 1941, relating to interstate county bridges; to provide for the issuance of refunding bonds and payment thereof; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 327. By Peterson of Lancaster.

A bill for an act relating to pensions for firemen and other municipal employees, authorizing every city of the first class which has adopted or hereafter adopts a charter for its own government as provided by Article XI of the Constitution of Nebraska; to provide by charter and establish pensions for its municipal employees including members of its police and fire departments; to amend sections 35-201, 35-202, 35-203, and 35-204, Compiled Statutes of Nebraska, 1929; and to repeal the original sections.

LEGISLATIVE BILL 328. By Peterson of Lancaster.

A bill for an act to amend section 64-101, Compiled Statutes of Nebraska, 1929, relating to notaries public; to provide for the appointment of notaries public, the furnishing of bonds thereby, the commissioning thereof and the filing of commission and bond in the governmental subdivisions wherein notaries public propose to act; to provide for the appointment of general notaries public, furnishing of bonds thereby, the commissioning thereof, and the filing of the bond and commission with the Secretary of State of the State of Nebraska, and to repeal the original section.

LEGISLATIVE BILL 329. By Peterson of Lancaster.

A bill for an act relating to the adoption of children; to provide the proper procedure therefor; to define the legal status and privileges of the person or persons adopting children and of the children adopted; and to repeal sections 43-101 to 43-112, inclusive, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL 330. By Jeppesen of Dakota, by request, and Mueller of Buffalo.

A bill for an act to amend section 83-1506, Compiled Statutes of Nebraska, 1929, relating to sterilization of feeble-minded, insane inmates, and habitual criminals; to provide that the operation of sterilization may be performed at some other state institution, than the institution where such person is an inmate, to be designated by the Board of Control; and to repeal the original section.

LEGISLATIVE BILL 331. By Jeppesen of Dakota, by request, and Mueller of Buffalo.

A bill for an act to amend section 43-226, Compiled Statutes of Nebraska, 1929, relating to the powers of the Board of Control; providing that the Board of Control shall not have power to transfer a minor from a state institution to a penal institution, except where the complaint from which the commitment resulted would have permitted commitment to a penal institution in the first instance or where the order of commitment contains a finding of guilt of the charge complained of; and to repeal the original section.

LEGISLATIVE BILL 332. By Jeppesen of Dakota, by request.

A bill for an act relating to deposits of public funds; to provide that cooperative credit associations situated within the boundaries of a county, or within the boundaries of a county where a city, town, village, township or school district is situated may become a depository for the funds of any of said political subdivisions; to provide conditions to such deposits; to provide that any such political subdivision making such deposit of public funds shall not be required to purchase shares in such resident cooperative credit associations, or become a member thereof; and to provide for the payment of interest on such deposits.

LEGISLATIVE BILL 333. By Jeppesen of Dakota, by request.

A bill for an act to provide for the commencement of civil actions by original notice; to provide the manner of service, procedure, and for damages and costs sustained by an adverse party under certain circumstances; to provide a penalty for making false return of service; to provide the fees and mileage that may be taxed as costs; and to declare an emergency.

LEGISLATIVE BILL 334. By Foster of Douglas and Neubauer of Harlan.

A bill for an act to protect the public health; to restrict the sale and distribution of materials containing the live micro-organisms of diseases communicable to humans; to prescribe the manner by which the aforesaid materials can be made available for the prevention of human and animal diseases; to prescribe penalties for the violation of any or all sections of this act; and to repeal any acts or parts thereof in conflict with this act.

LEGISLATIVE BILL 335. By Hubka of Gage.

A bill for an act relating to boarding home for the aged and infirm; to define "boarding home for the aged and infirm"; to provide for the licensing and regulating of such homes by the Board of Control; to provide establishing such rules as may be necessary to carry out the purpose of this act; and to provide for a penalty.

LEGISLATIVE BILL 336. By Hubka of Gage.

A bill for an act relating to schools; to define terms; to provide that no person shall operate or maintain a private trade school or private correspondence school, or be a solicitor or representative of a private trade or correspondence school in the State of Nebraska unless licensed by Superintendent of Public Instruction to do so; to provide qualifications for teachers; to provide for application for license and what it shall contain; to provide for license fee; to provide the maximum number of students per teacher; to provide what may be put in advertisements; to provide for inspection by Department of Labor; to provide for regulation of tuition fees; to provide that fees arising under this act shall be credited to the Superintendent of Public Instruction for use in administering this act; and to provide for penalty.

LEGISLATIVE BILL 337. By Lee of Dodge.

A bill for an act relating to paving or otherwise improving streets, and storm and sanitary sewers in cities of the first and second class and villages; to provide for the acceptance of work that has been completed, the levy of special assessments and taxes and the issuance of bonds to pay the cost thereof.

LEGISLATIVE BILL 338. By Lee of Dodge.

A bill for an act to amend section 39-206, C. S. Supp., 1941; to provide that in all counties having a population of less than one hundred fifty thousand inhabitants all moneys collected as road tax shall be placed in the county road fund, and be expended by the county board for improvement of the roads in the county.

LEGISLATIVE BILL 339. By Lee of Dodge.

A bill for an act relating to cities of the first class having inhabitants of twenty-five thousand, or less, cities of the second class and villages; to provide that cities of the first class having inhabitants of twenty-five thousand or less, cities of second class and villages may enact ordinances combining the offices of city clerk and city treasurer; and to provide for the salary and duties of such combined office.

LEGISLATIVE BILL 340. By Doyle of Greeley.

A bill for an act relating to imitation butter; to suspend until June 30, 1945, the operation of sections 81-1408 to 81-1423, C. S. Supp., 1941; and to provide that upon termination of this act, all provisions of law suspended shall be in full force and effect.

LEGISLATIVE BILL 341. By Craven of Lancaster.

A bill for an act to amend section 48-710, C. S. Supp., 1941, relating to the Division of Placement and Unemployment Insurance in the Department of Labor; to eliminate the requirement that the appointment of director of such division shall be made in accordance with the provisions of section 48-711 (d), C. S. Supp., 1941; to provide that such appointment shall be of one in full sympathy with merit principles and administration and without regard to partisan interests; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 342. By Craven of Lancaster.

A bill for an act relating to the purchase of state supplies; to define "printing"; to provide that all printing purchased by the State of Nebraska or any of its governmental subdivisions shall be purchased from an industry located and operated in Nebraska and which printing shall be produced by labor performed in Nebraska; to provide penalties; and to declare an emergency.

LEGISLATIVE BILL 343. By Crosby of Lincoln and Raecke of Merrick.

A bill for an act relating to insurance; to provide rules and regulations governing and controlling the operations of insurers transacting the business of workmen's compensation insurance under the supervision of the Director of the Department of Insurance; and to state a validity clause.

LEGISLATIVE BILL 344. By Craven of Lancaster.

A bill for an act to amend section 77-902, Compiled Statutes of Nebraska, 1929, relating to taxation of foreign life insurance, accident and life and accident insurance companies transacting business in Nebraska; to eliminate the exemption of fraternal associations and mutual companies operating on the assessment plan from the taxation on gross premiums therein provided; and to repeal the original section.

LEGISLATIVE BILL 345. By Jeffords of Hooker and Weborg of Cuming.

A bill for an act relating to bonds; to provide that no person shall be permitted to vote on any bond issue except otherwise qualified electors who reside in, and own real property subject to taxation, within the district to be affected by the bond issue.

LEGISLATIVE BILL 346. By Doyle of Greeley.

A bill for an act to amend section 68-260, C. S. Supp., 1941, relating to old age assistance; to provide that in determining the amount of assistance which any person shall receive, money and property exempt from seizure on execution shall not be taken into consideration in determining the income, resources and maintenance available to support such person; and to repeal the original section.

LEGISLATIVE BILL 347. By Asimus of Holt.

A bill for an act relating to the State Highway Patrol; to suspend until March 1, 1945, the provisions of sections 60-417 to 60-425, C. S. Supp., 1941; and to provide a termination date for this act.

LEGISLATIVE BILL 348. By Asimus of Holt.

A bill for an act to amend section 33-129, C. S. Supp., 1941, relating to salaries and fees of county and precinct assessors; to eliminate the provision that precinct assessors may be paid on the basis of so much per schedule actually made out and delivered; and to repeal the original section.

LEGISLATIVE BILL 349. By Craven of Lancaster.

A bill for an act relating to the Division of Placement and Unemployment Insurance in the Department of Labor; to define the administrative organization of such division; to increase the salary of director of such division; to regulate the manner of making of appointment of director; to amend section 48-710, C. S. Supp., 1941, and to repeal the original section.

LEGISLATIVE BILL 350. By Doyle of Greeley.

A bill for an act to amend sections 84-206, 84-314, 84-507, 84-608, and 79-1611, Compiled Statutes of Nebraska, 1929, relating to salaries of deputies to the constitutional state executive officers; to provide that each of such deputies shall be paid a salary of thirty-two hundred forty dollars per annum; and to repeal the original sections.

LEGISLATIVE BILL 351. By Cullingham of Douglas.

A bill for an act to amend section 89-112, C. S. Supp., 1941, relating to weights and measures; to prescribe the net weight and size of container or packages of flour permitted to be sold in Nebraska; and to repeal the original section.

LEGISLATIVE BILL 352. By Cullingham of Douglas.

A bill for an act relating to fiduciaries; to define terms; to provide procedure for suspension of fiduciaries engaged in war service; to provide for responsibility of fiduciary; and to declare an emergency.

LEGISLATIVE BILL 353. By Tvrdik of Douglas, Klaver of Douglas
and Foster of Douglas.

A bill for an act to amend section 14-1016, Compiled Statutes of Nebraska, 1929, relating to services to be furnished by metropolitan water districts to the municipalities constituting such district; to provide that said water districts shall furnish, free of charge, water required for public use by the public school of each of such municipalities.

LEGISLATIVE BILL 354. By Jeffords of Hooker.

A bill for an act relating to labor organizations; to require the registration of all labor organizations or unions in Nebraska with Department of Labor; to provide that such registration shall show the name of such organization, its officers, name of national organization affililated with, if any, list of members, amount of dues, salaries, receipts and disbursements; and to provide a penalty.

LEGISLATIVE BILL 355. By Thomas of Clay.

A bill for an act to provide for the regulation, supervision and control of the business of life insurance in the State of Nebraska, particularly providing the minimum basis by which the Director of the Department of Insurance of the State of Nebraska shall value policies of insurance issued by every life insurance company doing business in the State of Nebraska; to provide standard provisions of policies of life insurance issued to citizens of the State of Nebraska; to provide a savings clause; to repeal sections 44-502 and 44-602, Compiled Statutes of Nebraska, 1929, and all acts and parts of acts in conflict herewith; and to declare an emergency.

LEGISLATIVE BILL 356. By Thomas of Clay.

A bill for an act to amend section 44-603, C. S. Supp., 1941, relating to insurance; to eliminate therefrom the prohibition against issuance of a policy of life insurance if any of the surrender values of the policy are based upon the premiums paid rather than on the reserve; and to repeal the original section.

LEGISLATIVE BILL 357. By Klaver of Douglas.

A bill for an act to amend section 33-110, Compiled Statutes of Nebraska, 1929, relating to salaries of bailiffs; to provide for the salary of district court bailiffs in counties having more than one hundred twenty-five thousand inhabitants; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 358. By Peterson of Lancaster.

A bill for an act to repeal Article 4, Chapter 43, Compiled Statutes of Nebraska, 1929, and all amendments thereof, relating to Mothers' Pensions.

LEGISLATIVE BILL 359. By Neubauer of Harlan and Carmody of Hitchcock.

A bill for an act relating to the powers of counties; to provide that county boards, in counties having less than two hundred thousand population, may appropriate from and pay out of the general fund of the county an amount not to exceed, in any one year five hundred dollars for each five thousand or major fraction thereof of the population within the county, for the advertisement and promotion of water conservation, flood control and irrigation projects, and to engage engineering services as needed in connection therewith.

LEGISLATIVE BILL 360. By Klaver of Douglas, Tvrdik of Douglas and Norman of Douglas.

A bill for an act to amend section 22-106, Compiled Statutes of Nebraska, 1929, relating to municipal courts; to provide for salaries of judges and clerks of municipal courts in a city of the metropolitan class and cities of the first class, having a population of more than forty thousand and less than one hundred thousand; and to repeal the original section.

LEGISLATIVE BILL 361. By Klaver of Douglas.

A bill for an act relating to courts; to provide for the retirement of judges of the county, district and supreme courts, and their pensions upon retirement; and to provide for the appointment of their successors and for additional temporary service to be performed by the district and supreme judge during retirement.

LEGISLATIVE BILL 362. By Klaver of Douglas.

A bill for an act relating to universities; providing for the scheduling of athletic contests, debates and all other competitive contests between the University of Nebraska and Creighton university.

LEGISLATIVE BILL 363. By Mekota of Saline.

A bill for an act to amend section 27-601, C. S. Supp., 1941, relating to fiduciaries; to prescribe legal investments for trustees, executors, administrators or guardians in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section; and to declare an emergency.

LEGISLATIVE BILL 364. By Gutoski of Douglas.

A bill for an act to amend sections 21-1404 and 22-1204, Compiled Statutes of Nebraska, 1929, relating to forcible entry and detention; to provide method of serving notice on party detaining property to leave the premises, where such party or his usual place of abode cannot be found in the county where the premises are located; and to repeal the original sections.

LEGISLATIVE BILL 365. By Heiliger of Lancaster.

A bill for an act relating to railroads; to prohibit the location or maintaining of lights that interfere wtih the view of any railroad signal; and to provide procedure for removal of such lights.

LEGISLATIVE BILL 366. By Weborg of Cuming and Burnham of Custer.

A bill for an act relating to schools; to provide that all teachers, nurses, principals, supervisors, assistant superintendents and superintendents shall be hired by written contract on form furnished by Superintendent of Public Instruction; to provide certain mandatory provisions to be contained in such contract; to prohibit person under contract with one school district from entering into contract with another district covering a part or all of the time of performance of the contract in the other district; to provide penalties; and to provide for suspension of teacher's certificate, after notice and hearing, for violation or abrogation of contract.

LEGISLATIVE BILL 367. By Craven of Lancaster, Peterson of Lancaster, Heiliger of Lancaster.

A bill for an act to amend section 27-401, Compiled Statutes of Nebraska, 1929, relating to Supreme and district court clerks, deputies and assistants with particular reference to the salaries of such deputies and assistants, and changing the population limits as they apply to such salaries; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 368. By Craven of Lancaster, by request of Nebraska State Bar Association.

A bill for an act to amend sections 24-1712 and 24-1722, Compiled Statutes of Nebraska, 1929, relating to occupation taxes on corporations; to provide that occupation taxes shall be a lien upon real estate of a corporation only from the time a notice of lien is filed by the Secretary of State with the county clerk of the county wherein the real estate sought to be charged with such lien is situated; to provide that occupation taxes of corporations existing and delinquent at the time this act becomes effective shall cease to be liens and shall be forever barred upon real estate of the corporation unless notice of the lien is filed by the Secretary of State within one year of the taking effect of this act with the county clerk of the county wherein the real estate sought to be charged with such lien is situated; and to repeal the original sections.

LEGISLATIVE BILL 369. By Craven of Lancaster, by request of Nebraska State Bar Association.

A bill for an act to amend section 77-2220, Compiled Statutes of Nebraska, 1929, relating to inheritance tax; to provide that unless the inheritance tax is ascertained and assessed within five years after the death of any decedent, dying after the effective date of this act, or within five years after the effective date of this act, as to any decedent whose death occurred prior thereto, the estate of the decedent shall not be liable for payment of inheritance taxes; and to repeal the original section.

LEGISLATIVE BILL 370. By Foster of Douglas and Burnham of Custer.

A bill for an act to amend section 26-133, C. S. Supp., 1941, relating to county commissioners; to provide for the nomination and election of county commissioners by districts in counties having more than two hundred thousand inhabitants; and to repeal the original section.

LEGISLATIVE BILL 371. By Foster of Douglas.

A bill for an act to amend section 39-1106, C. S. Supp., 1941, relating to rules of the road for motor vehicles; to define the words "under the influence of alcoholic liquor" used therein; to provide the quantum and nature of evidence required to prove the guilt of the accused who is charged with the offense of operating a motor vehicle while under the influence of alcoholic liquor; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 372. By Cullingham of Douglas and Greenamyre of Madison.

A bill for an act to amend sections 66-437, and 66-442 C. S. Supp., 1941, relating to motor vehicle fuels; to provide for a refund of the tax on motor vehicle fuels when gasoline or raw gasoline, untreated and unleaded, is used as an enriching agent in the manufacture of manufactured gas; to provide for regulations for such refund; and to repeal the original sections.

LEGISLATIVE BILL 373. By Lee of Dodge.

A bill for an act to amend section 66-303, C. S. Supp., 1941, relating to inspection of motor or vehicle fuels, gasoline, kerosene and other products manufactured, sold or offered for sale in this state for illumination, heating, cleaning and power purposes; to provide for a change in the amount of inspection fee on ten or more barrels from one and one-half cent per barrel to one cent per barrel; and to repeal the original section.

LEGISLATIVE BILL 374. By Dooley of Sarpy.

A bill for an act to amend section 76-601, C. S. Supp., 1941, relating to abstracters of title; to provide that abstracters shall be bona fide residents, or if the business is carried on by a company or corporation that such company or corporation has its principal office, in the county in which the business of compiling titles to real estate is conducted; to provide that a certificate of title to an abstract by a nonresident or company or corporation not having its principal office in the county, shall be void; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 375. By Cullingham of Douglas.

A bill for an act to amend section 14-1419, C. S. Supp., 1941, relating to housing authorities in cities of the metropolitan class; to declare the legislative policy to be that slum clearance has been accomplished and that the renting of houses in such cities no longer serves a public purpose; and to repeal the original section.

LEGISLATIVE BILL 376. By Cullingham of Douglas.

A bill for an act to amend section 71-3511, C. S. Supp., 1941, relating to housing authorities; to provide that the property of housing authorities shall be subject to taxation; and to repeal the original section.

LEGISLATIVE BILL 377. By Greenamyre of Madison.

A bill for an act to regulate and license abstracters of real estate titles; to create an abstracters' examining board; and provide penalties for violations thereof.

LEGISLATIVE BILL 378. By Greenamyre of Madison.

A bill for an act relating to courts; providing that any creditor may intervene in any court of record where funds or property are held under a proceeding of such court to establish his claim and enforce his claim upon such funds or property.

LEGISLATIVE BILL 379. By Matzke of Seward.

A bill for an act to amend section 60-1009, C. S. Supp., 1941, relating to motor vehicles; to provide that a holder of certificate of title who refuses to permit the county clerk to show a junior lien on such certificate shall be liable for damages; and to repeal the original section.

LEGISLATIVE BILL 380. By Tvrdik of Douglas, Sorrell of Otoe and Mueller of Buffalo.

A bill for an act to amend section 75-301, Compiled Statutes of Nebraska, 1929, relating to the State Railway Commission; to grant to the commission the power to determine who shall have the right to appear and practice before the commission; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 381. By Doyle of Greeley and Hanna of Cherry.

A bill for an act to amend sections 2-201 and 2-219, Compiled Statutes of Nebraska, 1929, relating to support of county agricultural societies; to provide that until June 30, 1945, it shall be optional with the county board of each county as to whether a tax shall be levied and collected for the support of such agricultural societies; and to repeal the original sections.

LEGISLATIVE BILL 382. By Doyle of Greeley, Gutoski of Douglas and Tvrdik of Douglas.

A bill for an act to amend Section 1, Article VI of the Constitution of Nebraska, relating to qualifications of electors; providing that every citizen of the United States, who has attained the age of eighteen years, has resided within the state six months, and within the county and voting precinct for the terms provided by law, shall be an elector; providing for submission of the proposed amendment to the electors at the general election in November, 1944; providing for the manner of submission and form of ballot; and providing the effective date thereof.

LEGISLATIVE BILL 383. By Doyle of Greeley, by request.

A bill for an act relating to salaries of judges of the district court; and to provide that the salaries of judges of the district court shall be six thousand dollars per annum commencing the first Thursday after the first Tuesday in January, 1945.

LEGISLATIVE BILL 384. By Klaver of Douglas, Tvrdik of Douglas and Heiliger of Lancaster.

A bill for an act relating to schools in cities having a population of ten thousand inhabitants or more; to define terms; to regulate the tenure of employment of teachers; to provide for the making and canceling of contracts indefinite as to length of time of duration; and to provide the manner and method of making, keeping in force, and canceling such contracts.

LEGISLATIVE BILL 385. By Greenamyre of Madison, by request.

A bill for an act to amend section 85-302, Compiled Statutes of Nebraska, 1929, relating to officers of State Normal School Board; to provide that Superintendent of Public Instruction shall be secretary of board and keep all the records in his office; and to repeal the original section.

LEGISLATIVE BILL 386. By Mischke of Knox.

A bill for an act to amend section 86-301, C. S. Supp., 1941, and section 86-303, Compiled Statutes of Nebraska, 1929, relating to telephone and telegraph companies and persons, associations, and corporations engaged in the generating or transmitting of electric current for sale, use or purchase; to provide restrictions and regulations by the Department of Roads and Irrigation for all telephone and telegraph poles and poles carrying electric current for power or other purposes located on, along, upon, across, and under state and federal highways; and to repeal the original sections.

LEGISLATIVE BILL 387. By Matzke of Seward.

A bill for an act to amend section 39-229, C. S. Supp., 1941, relating to highways; to provide that the total mileage of the county road system shall not exceed forty per cent of the total mileage of all the public highways within the county; and to repeal the original section.

LEGISLATIVE BILL 388. By Asimus of Holt.

A bill for an act to amend section 60-407, C. S. Supp., 1941, relating to motor vehicles; to provide that all fees in the motor operators license fund on the date this act becomes effective shall be transferred to the old age assistance fund; to provide that until March 1, 1945, the balance of fees collected from issuance of motor vehicle operators' license, after payment of five cents for each original and renewal license to the county, shall be remitted to the State Treasurer and credited to the state assistance fund; and to repeal the original section.

LEGISLATIVE BILL 389. By Hanna of Cherry, Gantz of Box Butte and Crosby of Lincoln.

A bill for an act to amend section 83-908, Compiled Statutes of Nebraska, 1929, relating to officers of the penitentiary; providing for salaries of the warden and the deputy warden; and to repeal the original section.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
271	Hubka	Agriculture
272	Sorrell	Banking, Com. and Ins.
273	Craven, Crossland	Revenue
274	Rakow	Public Health and Misc. Subs.
275	Rakow, Thompson	Judiciary
276	Rakow	Judiciary
277	Thomas, Mueller	Labor and Public Welfare
278	Neubauer, et al	Judiciary
279	Foster	Public Health and Misc. Subs.
280	Sorrell, Craven	Revenue
281	Craven, Reavis	Agriculture
282	Crosby	Judiciary
283	Craven	Public Works
284	Anderson, D. S. et al	Agriculture
285	Peterson, Gantz	Judiciary
286	Greenamyre, et al	Public Works
287	Mueller	Banking, Com. and Ins.
288	Mueller	Public Health and Misc. Subs.
289	Committee on Agriculture By Neubauer, Chairman	Agriculture
290	Foster, et al	Labor and Public Welfare
291	Brodahl	Government
292	Foster	Labor and Public Welfare
293	Committee on Bank. Com. & Ins. By Peterson, Chairman	Banking, Com. and Ins.
294	Tvrdik, et al	Revenue

295	Peterson, Crosby	Public Health and Misc. Subs.
296	Craven	Banking, Com. and Ins.
297	Tvrdik, et al	Revenue
298	Gantz, by request	Judiciary
299	Gantz, by request	Judiciary
300	Lee, Greenamyre	Public Works
301	Committee on Agriculture By Neubauer, Chairman	Agriculture

SELECT FILE

LEGISLATIVE BILL 5. E and R amendments, found in the Legislative Journal for the Eighteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 20. E and R amendments, found in the Legislative Journal for the Eighteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 28. E and R amendments, found in the Legislative Journal for the Eighteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 33. E and R amendments, found in the Legislative Journal for the Eighteenth Day. were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 73. E and R amendments, found in the Legislative Journal for the Eighteenth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 86. E and R amendments, found in the Legislative Journal for the Eighteenth Day, were adopted.

Referred to E and R for engrossment.

Recess

At 11:50 a.m. on motion by Mr. Tvrdik the Legislature recessed until 4:30 p.m.

After Recess.

The Legislature was called to order at 4:30 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Rakow who was excused.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 390. By Foster of Douglas.

A bill for an act relating to public health and welfare; to define terms; to regulate the use of sanitary materials therein; to provide for license fee and licensing of the manufacture, repair or renovating of such articles; to provide for the enforcement of the provisions of this act; to prescribe penalties for violations thereof; and to repeal section 71-2307, Compiled Statutes of Nebraska, 1929.

LEGISLATIVE BILL 391. By Judiciary Committee, Gantz of Box Butte, Chairman.

A bill for an act relating to county attorneys; providing for the appointment of a county attorney from an adjoining county of the State of Nebraska, when there is no qualified attorney within the county who will accept such appointment.

LEGISLATIVE BILL 392. By Weborg of Cuming.

A bill for an act to amend section 77-2001, C. S. Supp., 1941, relating to revenues; to provide that if the second half of the previous year's taxes are the only taxes delinquent on real estate then that real estate shall not be subject to sale; and to repeal the original section.

LEGISLATIVE BILL 393. By Cullingham of Douglas.

A bill for an act to amend section 32-1140, Compiled Statutes of Nebraska, 1929, relating to elections; to provide the manner of preparation of sample ballots for primary and general elections; and to repeal the original section.

LEGISLATIVE BILL 394. By Burnham of Custer, by request.

A bill for an act relating to revenue; to authorize the governing body of any political subdivision, or any legally created district or of any school district to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any school district or any city of the first class having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class, village or any legally created district in the State of Nebraska to borrow money with which to pay judgments against their respective municipalities, school districts or districts and accrued interest thereon and to redeem outstanding warrants of such school district, district, city or village, as the case may be; to issue the municipality's, school district's or district's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of sections 7 to 11, inclusive, of this act shall be construed as supplemental to and cumulative with existing powers of said municipalities, school districts or districts on the same subject; to provide that sections 1 to 6, inclusive, of this act shall not be construed as a limitation on the powers conferred upon municipalities, school districts, or districts in sections 7 to 11, inclusive, therein; to state a validity clause; to repeal sections 11-1201 to 11-1212, inclusive, C. S. Supp., 1941; and to declare an emergency.

LEGISLATIVE BILL 395. By Thomas of Clay.

A bill for an act relating to insurance; to provide for revocation of license by the Department of Insurance of insurers which shall have transacted or attempted to transact or solicit business in any jurisdiction in which such insurer is not licensed to transact business; to provide certain exceptions; and to define terms.

LEGISLATIVE BILL 396. By James H. Anderson of Scotts Bluff.

A bill for an act providing a limitation on the time within which actions upon a liability created by a federal statute, other than a forfeiture or penalty, shall be commenced; and to declare an emergency.

LEGISLATIVE BILL 397. By James H. Anderson of Scotts Bluff.

A bill for an act to amend Section 70-713 Compiled Statutes Supplement of Nebraska, 1941, relating to public power and irrigation districts or public power districts, and Section 70-604, Section 70-605, Section 70-607 and Section 70-808, Compiled Statutes Supplement of Nebraska, 1941, relating to electric light and power plants, distribution systems or transmission lines, or any of them; to provide that a public power and irrigation district or public power district shall be without power to construct, lease, purchase or otherwise acquire such plant or system within any city or village without an approval by a vote of sixty per cent of the qualified electors in such city or village; to provide that such plants, systems or lines, either publicly or privately owned, shall not be sold, leased or transferred, except upon like approval of the qualified electors in municipalities or districts served by such plants, systems or lines; to provide for conditions precedent to complete such sale, lease or transfer of any plants, systems or lines; to provide limitations upon promotion expenditures of any such sale, lease or transfer; to provide for the filing of expenditure reports with the Attorney General; to provide for the payment of the expenses of any such election and for the submission of a proposition to the electors upon a petition of the electors; to repeal said original sections; and to provide that this Act shall not affect pending actions or claims not in suit under said sections so repealed.

LEGISLATIVE BILL 398. By Greenamyre of Madison.

A bill for an act to amend sections 77-2612 and 77-2613, Compiled Statutes of Nebraska, 1929, relating to claims against the State of Nebraska; to eliminate therefrom the exception as to claims examined, approved and certified by the board of regents of the University of Nebraska, so as to conform to the requirements of other claims against the state; and to repeal the original sections.

LEGISLATIVE BILL 399. By Doyle of Greeley.

A bill for an act to amend section 28-946, Compiled Statutes of Nebraska, 1929, relating to gambling tables, gambling devices, and gaming machines; to provide that any gambling table, gambling device, or gaming machine of any kind or description, except billiard tables, shall be deemed a nuisance and may be abated in the manner provided in section 28-911, Compiled Statutes of Nebraska, 1929; and to repeal the original section.

LEGISLATIVE BILL 400. By Gutoski of Douglas.

A bill for an act relating to non-profit corporations; to enact a general corporation law for Nebraska relating to corporations, foreign and domestic, not organized for pecuniary profit; to define terms; to provide for their incorporation, operation, management, control, regulation, merger, consolidation, dissolution and for the renewal, extension or restoration of their corporate existence; and to declare an emergency.

LEGISLATIVE BILL 401. By Hanna of Cherry.

A bill for an act relating to labor; to provide that it shall be unlawful to interfere with any person's right to work or to use profane, or threatening language toward such person, or to persist in communicating with such person against his will, or to follow or intercept such person, or to photograph such person, or to menace, or frighten such person, or to commit any assault or battery; to render it unlawful to picket the premises of any employer, for any purpose, within a distance of thirty feet from such premises but permitting the right to peacefully picket such premises beyond a distance of thirty feet where there is a presently existing and bona fide labor controversy, and when the matters in dispute directly pertain to wages, hours or working conditions of the employees of the particular employer involved; to provide that such peaceful picketing shall not in any way hinder travel to and from or past such premises; to render it unlawful for any person to refuse to depart from the premises of any employer, or take part in any sit-down strike and refuse to vacate and depart from the premises when ordered, or to hold over or continue to occupy or withhold possession of any employer's premises or property after termination of employment by such employer; to provide a penalty; to repeal sections 28-812, 28-813, and 28-814, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

MOTION—To Adjourn

At 4:45 Mr. Raecke moved to adjourn.

The President announced the motion had carried.

Mr. Gutoski appealed from the decision of the Chair.

The President put the question, "Shall the Chair be sustained?"

The appeal was sustained with no ayes, 35 nays, 8 not voting.

The President announced the motion to adjourn was lost.

MOTION—To Proceed with Reading

Mr. President: I move that the Clerk proceed with the reading of bills by title.

(Signed) Greenamyre

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 402. By Norman of Douglas, Tvrdik of Douglas and Klaver of Douglas.

A bill for an act to amend section 32-1810, Compiled Statutes of Nebraska, 1929, relating to elections in counties having a population of one hundred fifty thousand or more; to authorize the issuance of certificates of registration; to provide a fee therefor, when issued for other than election purposes; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 403. By Tvrdik of Douglas, Klaver of Douglas and Greenamyre of Madison.

A bill for an act to repeal sections 66-601 and 66-602, C. S. Supp., 1941, providing specifications with respect to signs and placards indicating the sale price of motor vehicle fuels and penalties for violations.

LEGISLATIVE BILL 404. By Garber of Webster.

A bill for an act relating to revenue; providing for a tax of one cent per thousand cubic feet on natural gas used or consumed in the State of Nebraska; providing for procedure for administration; providing that all moneys shall be paid into the Assistance fund of the State of Nebraska; and providing for penalties.

Adjournment.

At 5:05 p.m. Mr. Raecke moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Tuesday.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 2, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow who was excused.

Member Excused

Mr. Peterson was excused from the sessions on Wednesday, Thursday, and possibly Friday.

The Journal for the Twentieth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Raecke introduced a petition favoring L. B. 40 and L. B. 41.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 209, Monday, February 8, 1943, 2:00 p.m.

L. B. 206, Wednesday, February 17, 1943, 2:00 p.m.

L. B. 223, Wednesday, February 17, 1943, 2:00 p.m.

Education

L. B. 225, Monday, February 8, 1943, 2:00 p.m.

L. B. 218, Monday, February 8, 1943, 2:00 p.m.

L. B. 211, Monday, February 15, 1943, 2:00 p.m.

L. B. 224, Monday, February 15, 1943, 2:00 p.m.

L. B. 97, Wednesday, February 10, 1943, 7:30 p.m. (continued)

Labor and Public Welfare

L. B. 185, Monday, February 22, 1943, 2:00 p.m.

L. B. 197, Monday, March 1, 1943, 2:00 p.m.

L. B. 198, Monday, March 1, 1943, 2:00 p.m.

L. B. 207, Monday, March 8, 1943, 2:00 p.m.

L. B. 208, Monday, March 15, 1943, 2:00 p.m.

L. B. 219, Monday, March 15, 1943, 2:00 p.m.

L. B. 230, Monday, March 15, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 107. Placed on General File.

(Signed) Gantz, Chairman

Agriculture

LEGISLATIVE BILL 74. Placed on General File with amendments.

Standing Committee amendments to L. B. 74:

1. Amend pages 2 and 3 of the bill by striking all of section 1 and substituting the following in lieu thereof:

Section 1. That section 37-406, C. S. Supp., 1941, be amended to read as follows:

37-406. (1) It shall be the duty of every person who owns or controls, or who may hereafter own or control any dam or other obstruction, ~~except the uppermost dam,~~ across any watercourse within the jurisdiction of the state, to ~~erect or cause to be erected, in connection with such dam, or obstruction, a durable and efficient fish way, so that fish in such watercourse may have free access around, over or through such dam or obstruction. Such dams, obstructions and fish ways built or erected therein shall be kept in good repair by the person owning or controlling the same, so as to at all times permit the passage of fish around, over or through the same. In case the owner or person operating or using any dam or other obstruction, except the uppermost dam across any watercourse in this state shall fail or refuse after ten days' notice in writing by the Game, Forestation and Parks Commission, to construct or repair a fish way, the commission may construct or repair the same and recover the cost thereof in the name of the State of Nebraska from the owner of such dam or obstruction, in any court of competent jurisdiction. No owner or party in control of any dam shall be required to construct a fish way in such manner as to endanger the permanent durability of such dam or to impair the usefulness thereof, and every owner of such dam shall, after the construction or repair thereof by the state and after the payment of the cost thereof, be entitled to receive a certificate from the commission to the effect that such fish ways have been constructed or repaired in compliance with the provisions of the law. The commission shall determine the location, character and kind of fish way to be built in dams or obstructions where none exist, and in case any differences arise between the department and the owner of a dam or obstruction over a watercourse within the state, with reference to such questions, or with reference to the impairing of the usefulness of such dam by the construction of fish ways therein, the same shall be submitted to a board of arbitrators, one to be chosen by the commission, one by the owner of such dam and the third to be chosen by the two, or if they are unable to agree, then by the Governor of the state, and the decision of the three arbitrators shall be binding upon the commission and the owner of such dam or obstruction.~~ **where such impounded water is returned to the bed of the stream, to make such provision as may be necessary that sufficient water shall be returned at all times to the bed of the stream or river below such dam or obstruction as to preserve fish life in such stream; Provided, however, this act shall not apply under conditions of unusual circumstances resulting from natural causes which make the fulfillment impracticable; and provided, also, that every person owning or controlling such dam, shall open and close gates or locks at a rate slow enough to protect the water below from a sudden flushing or sudden decrease in water flow, which would be detrimental to the fish and their habitat, when mechanically possible.**

(2) The Game, Forestation and Parks Commission shall have the supervision over the enforcement of this act, and shall investigate all

complaints and make such orders as may be necessary and proper to carry into effect the provisions hereof.

(Signed) Neubauer, Chairman

Education

LEGISLATIVE BILL 186. Placed on General File.

(Signed) Matzke, Chairman

Legislative Administration

February 1, 1943.

To the Members of the Legislature:

Your Committee begs leave to submit the following report covering salaries, officers and employees of the Legislature, for the month of January, 1943:

Name	Position	No. Hrs. Days	Rate	Amt. Earned	Victory Tax Withheld	Amt. Paid
Roy J. Becker	Asst. Clerk	23 da	8.00	184.00	6.60	177.40
J. W. Lundy	Sgt. at Arms	26 da	5.00	130.00	3.90	126.10
Clarence Linch	Asst. Sgt. at Arms	22 da	4.50	99.00	2.35	96.65
Martin L Pederson	Postmaster	23 da	4.50	103.50	2.58	100.92
Rev. L. L. Chambers	Chaplain	23 da	4.50	103.50	2.58	100.92
Mildred Faulkner	Sec'y to Lt. Gov.	21 da	5.00	105.00	2.65	102.35
Lyda Hafer	Journal Clerk	26 da	6.00	156.00	5.20	150.80
Barbara Payne	Asst. Journal Clerk	24 da	5.00	120.00	3.40	116.60
Hollis S. Thurber	Bookkeeper	17 da	5.00	85.00	1.65	83.35
Joseph J. Miller	Docket Clerk	18 da	4.50	81.00	1.45	79.55
Clara C. Turbyfill	(Engrossing Clerk)	(5 da	6.00			
	(Office Asst.)	18 da	5.00	120.00	3.40	116.60
Jo Lacy Fisher	Comm. Clerk	18 da	5.00	90.00	1.90	88.10

Isabella M. Moore	Comm. Clerk	18 da	5.00	90.00	1.90	88.10
Patricia Anstine	Comm. Clerk	21½ da	5.00	107.50	2.77	104.73
Marcella Allen	Comm. Clerk	21 da	5.00	105.00	2.65	102.35
Lorraine Schwenk	Comm. Clerk	22½ da	5.00	112.50	3.02	109.48
Katherine Cannell	Comm. Clerk	16 da	5.00	80.00	1.40	78.60
Marguerite Price	Comm. Clerk	24 da	150.00 mo	116.13	3.79	112.34
Nellie Von Dorn	Comm. Clerk	15 da	5.00	75.00	1.15	73.85
Frances Henry	Comm. Clerk	16 da	5.00	80.00	1.40	78.60
Ruth Case Bordsen	(Tel. Attdt.)	(4 da	4.00			
	(Stenographer	(11½ da	5.00	73.50	1.08	72.42
Julia J Bristow	Stenographer	14 da	5.00	70.00	.95	69.05
Irma Campbell	Stenographer	21 da	5.00	105.00	2.65	102.35
BerthaAnn Daggett	Stenographer	23 da	5.00	115.00	3.15	111.85
Eunice H. France	Stenographer	21 da	5.00	105.00	2.65	102.35
Mary Belle Heasley	Stenographer	22½ da	5.00	112.50	3.02	109.48
Gwenda Lee Holmes	Stenographer	23 da	5.00	115.00	3.15	111.85
Elaine Hopkins	Stenographer	23 da	5.00	115.00	3.15	111.85
Hazel McBride	Stenographer	16 da	5.00	80.00	1.40	78.60

Name	Position	No. Hrs. Days	Rate	Amt. Earned	Victory Tax Withheld	Amt. Paid
Mary Morrison	Stenographer	11 da	5.00	55.00	.70	54.30
Phyllis Smith	Stenographer	23 da	5.00	115.00	3.15	111.85
Willalee Spelts	Stenographer	18 da	5.00	90.00	1.90	88.10
Juanita DeArmond	Stenographer	3 da	5.00	15.00	.00	15.00
Rita Thornton	Stenographer	21½ da	5.00	107.50	2.77	104.73
Delia Rankin	(Clerk-Typist	(14½ da	4.00			
	(Office Asst.	(4 da	5.00	78.00	1.30	76.70
Dorothy Scott-Glenn	Mimeo. Stencils	16 da	5.00	80.00	1.40	78.60
Evelyn Jonas	Page and Messenger	13 da	4.00	52.00	.10	51.90
Robert Morbach	Page and Messenger	21 da	4.00	84.00	1.60	82.40
Norma Jo Nykodem	Page and Messenger	16½ da	4.00	66.00	1.10	64.90
Paula Storch	Page and Messenger	5 da	4.00	20.00	.00	20.00
Henry Remington	Page and Messenger	5 da	4.00	20.00	.40	19.60
G. F. Martin	Chief Bill Clerk	23 da	5.00	115.00	3.15	111.85
Aly E. Druesdow	Asst. Bill Clerk	17 da	4.50	76.50	1.23	75.27
Robert Obermiller	Asst. Bill Clerk	22 da	4.50	99.00	2.35	96.65
F. L. Gallagher	Asst. Bill Clerk	22 da	4.50	99.00	2.35	96.65
Gus E. Neuman	Asst. Bill Clerk	18 da	4.50	81.00	1.45	79.55

David D. Haney	Asst. Bill Clerk	15 da	4.50	67.50	.78	66.72
L. G. Viox	Asst. Bill Clerk	15 da	4.50	67.50	.78	66.72
G. H. Quackenbush	Asst. Bill Clerk	12 da	4.50	54.00	.73	53.27
Edwin H. Franklin	Asst. Bill Clerk	6 da	4.50	27.00	.05	26.95
Michael Gergen	Custodian	1 mo	125.00	125.00	3.65	121.35
Dudley Wright	Asst. Custodian	21 da	4.00	84.00	1.60	82.40
O. J. Burckhardt	Asst. Custodian	21 da	4.00	84.00	1.60	82.40
Charles Blauvelt	Proof reader	128 hr	.60	76.80	1.24	75.56
M. Alice Skiff	Proof reader	128 hr	.60	76.80	1.24	75.56
Grace Leavitt	Proof reader	165 hr	.60	99.00	2.35	96.65
Orma Hull Kline	Proof reader	165 hr	.60	99.00	2.35	96.65
Elizabeth Sheehan	Tel. Attdt.	12 da	4.00	48.00	.50	47.50
C. M. McGrath	Cloak Room Attdt.	1 mo	100.00	100.00	2.40	97.60
E. J. Keogh	Cloak Room Attdt.	24 da	4.00	96.00	2.20	93.80
Clarence Davis	Attorney	18 da	375.00 mo	217.75	8.29	209.46
						$5477.83

Respectfully submitted,

(Signed) Klaver, Chairman

MOTION—To Dispense with Reading

Mr. President: I move that the reading of the report of Committee on Legislative Administration be dispensed with and that it be printed in the Journal.

(Signed) Klaver

The motion prevailed.

SELECT COMMITTEE REPORT

Council of State Governments

Mr. Speaker and Members:

Through your courtesy I was permitted to attend the Sixth Session of the Council of State Governments at Baltimore. This was my first attendance at a session, and, accordingly, I have no basis of comparison with prior sessions. It was evident that almost the sole interest was centered about the war and its impact on our governmental structures, state and federal. The very clear purpose of the management was to bring the representatives of the states into as immediate contact with the management of the war as possible.

A mere listing of the roster of persons appearing on the program will indicate this objective. From the staff of the federal agencies were:

Robert P. Patterson, Undersecretary of War;

Donald M. Nelson, Chairman War Production Board;

Mr. McNutt, War Manpower Commission;

Mr. Jeffers, Rubber Administrator;

Dean Landis, Director Civilian Defense;

Mr. Eastman, Office of Defense Transportation;

John G. Winant, Ambassador to Great Britain;

Francis Biddle, Attorney General of the United States;

James E. Murray, United States Senator from Montana and Chairman of the Senate Committee on Small Business.

Harold L. Ickes, Petroleum Administrator, was the only speaker listed who failed to appear. He sent one of his deputies.

From the executive departments of the states were Governer Stassen of Minnesota, Governor Saltonstall of Massachusetts, and Governor Broughton of North Carolina.

The legislative personnel had no formal place on the program.

I believe it to be a fair characterization of the Council of State Governments to say that its purpose is to protect the sovereignty of the states against federal encroachment by a program of cooperation calculated to obviate the extension of federal jurisdiction by the effective utilization of the state and local governments.

Inasmuch as war is a national affair, and, by its very nature, and under conditions of modern warfare even more insistently and emphatically, calls for centralization of power and for the almost unrestrained and dictatorial exercise of the centralized power by the Chief Executive of the nation in his capacity as Commander-in-Chief of the armed forces, the Council is, for the moment, limited to cooperation with the federal government in such ways and in such areas as that cooperation may contribute to national unity and strength. Beyond that, is the manifest propriety and duty to so function and to so plan as to obtain, when war ends, with promptness and completeness, without impairment or diminution, the sovereignty vested by our Constitution in the states.

One imperative condition precedent to the fulfillment of that destiny is the full utilization by the states during the emergency of all of their powers, all of their governmental organization, in an intelligent and coordinated program. There must be no valid assertion that the federal government was required, in any area, to assume jurisdiction because the states failed.

It is only fair to note that this assembly, in sending only one legislative delegate, could not have representation on all committees.

Two committees seemed to have the major attention at the session, —the Committee on Manpower and the Committee on Small Business. Your representative was permitted to have membership on the Manpower committee and, within that committee, on a smaller group charged with the task of framing a policy. Your representative was also permitted to sit with the Committee on Small Business.

The outstanding issue before the Council of State Governments was Manpower. A great deal of the attention given by the representatives of the federal government, in one way or another, made its contribution to the general body of information in the field of Manpower.

As a nation we face the disagreeable fact that we desire to do more in a short period of time than we have manpower to accomplish. (As a matter of definition, it may be noted that Mr. McNutt holds that Manpower "embraces" women.) Faced with this disagreeable fact, there must be a determination: First, how large an armed force can be supplied with food and munitions: And, second, what help can be recruited to fill the ranks in industry and in agriculture left vacant by the entry into the military service of the cream of our manpower?

If we were dealing with food and munitions for our own fighting forces, this problem could be solved within some reasonable approximation. But the lend-lease program poses an equation where one of the factors is not only unknown but undeterminable. Military plans are prepared by our Allies in full reliance upon our promises, express or implied, that this nation will supply food and armament. Those commitments will test American productive capacity far beyond any presently realized output. To this is added the inevitable task of supplying food to an indefinite number of millions of human beings in the countries to be liberated by the allied armies.

There is no present evidence that anything like a full realization exists as to the magnitude of the food problem thus presented. It seems to be assumed that if the output of planes can be doubled in 1943, so can the food supply. There is still a disposition to place responsibilities on local draft boards to assure the nation against depletion of agricultural manpower. Mr. McNutt blandly asserted before the Assembly that local draft boards have had power from the beginning to keep essential farmers on the farm. It does not seem to be within the field of administration thinking that agricultural manpower has been and is being reduced both by selective service and by the recruiting of industry to a point which presents a dire threat not only to our domestic food supply and the supply to our own fighting forces but, also and more expressly, to the inevitable demands of lend-lease and of liberated peoples. They do not seem to comprehend that when a draft board, in an area where all are farmers, is called upon to supply a specified number of men, they have no choice except to send farmers. Nor do they seem to sense that farm boys will not beg to be "deferred" as a favor to them. They will leave the farms and enter the armed forces until responsible agencies of government make it crystal-clear that they serve their nation best by remaining in the forces charged with the responsibility of providing food supplies.

It is and must be recognized that the size of our fighting forces is determined, and must be determined, by the military experts. They must, however, obtain from other government services an intelligent estimate of available food supply and of the conditions precedent to an effective program of increased agricultural production. It has been assumed that industrial output is limited only by available material. Manpower is taken for granted. The recruiting by industry goes forward on a basis of high wages with an irretrievable loss to agriculture. The rapidity of this movement may be indicated by the statement of Donald Nelson that 1943 will produce twice the number of airplanes produced in 1942, but the weight of the 1943 airplanes will be four times that of 1942. The production, processing, shipping, manufacturing, and delivering of four times the quantity of 1942 calls for an increase in manpower all the way from the mines to the end of the assembly line. The increase in industrial output is properly hailed as an "American miracle," but the realization of the announced goal of 1943 agricultural production with depleted agricultural manpower and depleted supply of farm machinery will be an even greater miracle.

It was the conclusion of the Council of State Governments that a definite, understandable, and clear-cut national policy, covering the total problem of American manpower, must be obtained and obtained promptly; that the Council of State Governments could contribute to the formulation of such a definite policy if its cooperation, in the form of a committee, would be acceptable to the federal government.

Even a few moments of committee discussion was calculated to demonstrate the tremendous dissimilarity in problem in the various regional areas of the nation. The 16 and 17-year-old boys and girls were found valuable in peak periods of harvest in fruit and vegetable areas, and truck gardening adjacent to large centers. Because they are valuable there, many were disposed to take it for granted that they were equally usable and equally valuable in other areas. Representatives of the middle west propounded the thesis that these 16 and 17-year-olds could be fitted into the other activities with greater effectiveness than in the area of mechanized agriculture and food production. Much of confused thinking arises from the understandable limitations imposed by a failure to know all conditions in all places by anybody. The Council is tendering this form of cooperation, and it remains to be seen whether such cooperation will be acceptable. If it is, a committee will be appointed by the Council for that purpose.

The Committee on Small Business heard the development of Congressional inquiry in this field from Senator James E. Murray of Montana. That the war emergency is centralizing activities into a relatively small number of business units is well recognized. How to reverse that trend or to make better use of the small business is another of the national problems. One is immediately struck by the definitions used in describing small business as distinguished from large business. In general, the classification divides at a point of 799 employees or less being small business, and agencies with 800 or more employees being large business. It is not difficult to see that, applied to the middle west, large business is here substantially nonexistent.

Challenges are made through the committee of the Senate and the House to programs under which war material is contracted for through large units of industry. By and large, the answer seems to be that subcontracting is being encouraged and greatly extended.

My own impression of the discussion was that, aside from subcontracting, there is very little to be expected from the war production for small business, but there is left a margin of production for our civilian economy. In this area there is some evidence that substantial steps can be taken to conserve the smaller business units if manpower for production in this area is not arbitrarily subtracted for the development of military production, and if, in the handling of the rationing program of essential materials, the small business unit is not left to die for lack of effective spokesmen where priorities and allocations are determined. Big business is adequately represented where allocations are made. Small business is not.

Here, again, the states may be able to contribute on a cooperative basis. I sought to elicit from Senator Murray the availability of funds from the federal corporation, established in this area for the development of small industrial units, for the better utilization of agricultural products,—particularly waste products. He was disposed to relegate much of this to a post-war period; but I tried to drive the point that post-war planning must begin now, and personal assurances were given that such developments would have friendly consideration.

That there exists a clashing of ideas as to what is the most important among the agencies charged with their separate responsibilities, was perhaps most dramatically presented when a delegate asked Mr. Jeffers what, in his opinion, was responsible for delay in production of synthetic rubber. With characteristic frankness, Mr. Jeffers responded with a statement,—later the subject of some attempted criticism,—that there are too many army and navy expediters and loafers in Washington who interfere with production by those who know how. If Mr. Jeffers is so completely smothered by the overwhelming emphasis on the part of other agencies seeking increased production that he has to come up for air and frankly appeal to the American public for his project, one can understand how a small business unit, desiring the allocation of some critical material for civilian production, must stand hat in hand and await an opportunity to even be heard.

Two things seem to me to be possible in the further development of the program of the Council of State Governments. First, to interpret to federal agencies the diversified problems arising out of attempted application of federal directives unmodified to a nation as diverse as ours, and, second, to bring to the people of the states an interpretation of the necessities which prompt the steps taken by our national government for the effective prosecution of the war. I am disposed to believe that one is as important as the other. If we, as a people, can understand why, much of our current discontent may be, at least, modified; and if federal agencies can understand the absurdities which unified directions produce, when applied to totally dissimilar situations, they may become disposed to recognize that elasticity in regulation is essential for the maintenance of respect for regulating authorities. In both of these directions I believe the Council of State Governments to be a useful agency deserving of continued support and cooperation.

The legislative program submitted by the Council of State Governments will, I assume, have the consideration of our own council, and if any measures, not on our calendar, are deemed essential, bills may be offered by the Governor.

One of the proposals was the subject of discussion among the delegates, namely, the Executive Statutory Suspension Act. Some of the Eastern and New England states have enacted this proposal into state statutes. Delegates from the middle west and from the south, as well as the Pacific coast, expressed disapproval. Speaking for Nebraska, Governor Griswold advised the session that Attorney General Walter Johnson had ruled that the act was violative of our state Constitution. Opposition, generally, was based on the theory that we are fighting against government by executive decree, and the proposal to authorize the executive to suspend statutes is at variance with our war aims since it approves government by executive decree. Those of us taking that position felt justified in assuming that the people would meet any emergency by compliance without compulsion and, if the occasion requires stronger measures, adequate powers are already vested both in the Governor and in our peace officers to mobilize the citizenship of the state.

The list of proposals contains fifteen items, as follows:

1. Executive Statutory Suspension Act - - -
2. Emergency Transportation Act - - -

3. Revised State Explosives Act - - -
4. Revised State Guard Act - - -
5. Notice to Alien Property Custodian Act - - -
6. State Post-War Reserve Fund and Planning Act - - -
7. Local Post-War Reserve Fund and Planning Act - - -
8. Amendment to State Bank Loan Limitation Statutes - - -
9. Child Care Centers (two Acts) - - -
    (a) Authorization for Day Care for Children's Act -
    (b) Licensing of Child Care Centers Act - - -
10. Out-of-State Physicians, Dentists and Nurses Act - - -
11. Emergency Aid and Welfare Services Act - - -
12. War Housing Legislation - - -
13. Repression of Prostitution Legislation - - -
14. Weights and Measures Legislation - - -
15. Free Movement of Persons Legislation - - -

In addition, five other proposals are presented as possible variations from the Statutory Suspension Act. These are:

Civilian Defense Act - - -

Air-Raid Precautions Act - - -

Fire Defense Mobilization Act - - -

Health and Sanitation Areas Act - - -

Military Traffic Control Act - - -

The majority of these proposals emanate originally from various Federal Departments and Agencies. It is not my purpose to anticipate the action of our own Council with reference to these proposals. Other items will be presented pursuant to the resolutions adopted at Baltimore in the closing session. All of these items should, and I am certain will, receive our earnest and full consideration.

The regular staff of the Council of State Governments impressed me greatly with their efficiency and ability. Mr. Bane, as the principal executive, demonstrates organizational abilities of the highest character. I am indebted to Mr. Bane and his staff for many courtesies. I am also grateful for the many courtesies extended me by the Governor and Attorney General of Nebraska and to the Legislature of Nebraska for the opportunity to attend.

If further information is desired by the Legislature or by individual members, and it is within my power to supply it, I shall be happy to respond to the best of my ability.

Respectfully,

(Signed) C. Petrus Peterson

RESOLUTIONS

LEGISLATIVE RESOLUTION 3. Permission to Sue State.

Mr. Jeppesen asked unanimous consent to amend the resolution as follows:

In the title, after Judd M. O'Dell, insert "and all other persons similarly situated."

In the preamble, page 2, after Judd M. O'Dell, insert "and all other persons similarly situated."

In Sec. 1, page 3, insert after Judd M. O'Dell, "and all other persons similarly situated."

No objection was offered. The President so stated.

Mr. Jeppesen moved that Legislative Resolution 3 be adopted.

Mr. Mekota moved that it be referred to a standing committee for hearing, in the same manner as bills.

The Mekota motion prevailed.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
302	Crosby	Government
303	Heiliger	Judiciary

304	Gantz	Judiciary
305	Gantz	Banking, Com. and Ins.
306	Gantz	Agriculture
307	Gantz	Revenue
308	Gantz	Judiciary
309	Crossland	Revenue
310	Crossland	Banking, Com. and Ins.
311	Thompson, Crossland	Government
312	Sorrell, by request	Revenue
313	Sorrell	Revenue
314	Sorrell	Public Works
315	Mueller	Public Health and Misc. Subs.
316	Crossland, et al	Public Health and Misc. Subs.
317	Committee on Agriculture By Neubauer, Chairman	Agriculture
318	James H. Anderson	Judiciary
319	Crosby	Public Health and Misc. Subs.
320	Crosby	Labor and Public Welfare
321	Brodahl	Revenue
322	Peterson, et al	Judiciary
323	Osborne	Agriculture
324	Osborne	Public Works
325	Conklin, et al	Public Works
326	Reavis, by request	Government
327	Peterson	Government
328	Peterson	Judiciary
329	Peterson	Labor and Public Welfare
330	Jeppesen, by request, Mueller	Labor and Public Welfare
331	Jeppesen, by request, Mueller	Judiciary
332	Jeppesen, by request	Banking, Com. and Ins.
333	Jeppesen, by request	Judiciary
334	Foster, Neubauer	Public Health and Misc. Subs.
335	Hubka	Revenue
336	Hubka	Education
337	Lee	Public Works
338	Lee	Revenue
339	Lee	Government
340	Doyle	Agriculture
341	Craven	Labor and Public Welfare
342	Craven	Government
343	Crosby, Raecke	Labor and Public Welfare
344	Craven	Banking, Com. and Ins.
345	Jeffords, Weborg	Government
346	Doyle	Labor and Public Welfare

347	Asimus	Public Works
348	Asimus	Government
349	Craven	Labor and Public Welfare
350	Doyle	Revenue
351	Cullingham	Agriculture
352	Cullingham	Judiciary
353	Tvrdik, et al	Education
354	Jeffords	Labor and Public Welfare
355	Thomas	Banking, Com. and Ins.
356	Thomas	Banking, Com. and Ins.
357	Klaver	Judiciary
358	Peterson	Judiciary
359	Neubauer, Carmody	Agriculture
360	Klaver, et al	Judiciary
361	Klaver	Judiciary
362	Klaver	Education
363	Mekota	Judiciary
364	Gutoski	Judiciary
365	Heiliger	Public Works
366	Weborg, Burnham	Education
367	Craven, et al	Judiciary
368	Craven, by request	Banking, Com. and Ins.
369	Craven, by request	Revenue
370	Foster, Burnham	Government
371	Foster	Judiciary
372	Cullingham, Greenamyre	Revenue
373	Lee, by request	Revenue
374	Dooley	Judiciary
375	Cullingham	Public Health and Misc. Subs.
376	Cullingham	Revenue
377	Greenamyre	Judiciary
378	Greenamyre	Judiciary
379	Mischke, Matzke	Public Works
380	Tvrdik, et al	Government
381	Doyle, Hanna	Agriculture
382	Doyle, et al	Government
383	Doyle, by request	Judiciary
384	Klaver, et al	Education
385	Greenamyre, by request	Education
386	Mischke	Public Works
387	Matzke	Public Works
388	Asimus	Revenue
389	Hanna, et al	Appropriations
390	Foster	Public Health and Misc. Subs.
391	Committee on Judiciary By Gantz, Chairman	Judiciary

392	Weborg	Revenue
393	Cullingham	Government
394	Burnham, by request	Revenue
395	Thomas	Banking, Com. and Ins.
396	James H. Anderson	Judiciary
397	James H. Anderson	Public Works
398	Greenamyre	Claims and Deficiencies
399	Doyle	Government
400	Gutoski, Tvrdik	Banking, Com and Ins.
401	Hanna	Labor and Public Welfare
402	Norman, et al	Government
403	Tvrdik, et al	Revenue
404	Garber	Revenue

Consent—To Add Name as Introducer.

Unanimous consent was granted to add the name Charles F. Tvrdik as an introducer to L. B. 400.

SELECT FILE

LEGISLATIVE BILL 99. E and R amendments, found in the Legislative Journal for the Twentieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 66. E and R amendments, found in the Legislative Journal for the Twentieth Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Adopt Amendments

Mr. President: I move that the rules be suspended and the Enrollment and Review amendments to L. B. 28, considered yesterday, be adopted.

(Signed) James H. Anderson

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—Appropriation Bills

Mr. President: I move that all legislative bills providing by their provisions for an appropriation of state funds, be heard in preference to all other bills by legislative committees, and any bills, upon being reported to general file, providing for appropriation of state funds, shall have preference upon General File.

(Signed) Greenamyre

The motion prevailed.

GENERAL FILE

Mr. Mekota presiding

LEGISLATIVE BILL 113. Read and considered.

Mr. Gantz offered the following amendment, which was adopted:

Amend Sec. 2, line 9, by striking the word "commissioners" in said line and substituting in lieu thereof the word "board".

Referred to E and R for review.

LEGISLATIVE BILL 84. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 110. Read and considered.

Standing Committee amendments 1 to 7 inclusive were adopted.

Mr. Raecke, Chairman of Committee on Revenue, offered the following amendment, which was adopted:

Strike standing committee amendment No. 8 of January 29, 1943, and insert in lieu thereof the following:

8. In Section 2, line 12, after the word and punctuation "same." insert the following: **"In any case where any distress warrant includes taxes for two years or more, the sheriff may in his discretion accept partial payment and shall pay the same as received to the county treasurer, who shall accept the same and receipt the sheriff therefor, but**

no tax receipt shall be issued to the taxpayer until full payment of taxes for one year shall have been made. Notwithstanding any partial payment, the sheriff shall make levy and return thereof on said distress warrant, as required by law."

Referred to E and R for review.

Announcement—Biennial Banquet

The Clerk read an announcement from Mrs. Don Hanna, General Chairman, that the biennial banquet of the Ladies Legislative League will be held at the Cornhusker Hotel, Thursday evening, February 18, 1943, followed by a program and dance.

Adjournment

At 12:12 p.m. Mr. Mueller moved that the rules be suspended and that the Legislature adjourn until 10:00 a.m. Wednesday.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 3, 1943

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. D. S. Anderson and Mr. Peterson who were excused.

The Journal for the Twenty-first Day was approved.

REQUEST—To Correct Bill

Mr. Sorrell asked for unanimous consent to correct Legislative Bill 312, by adding the word "resident" in the proper places in the bill.

No objection was offered. So ordered.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 251,	Tuesday, February 9, 1943, 2:00 p.m.
L. B. 252,	Tuesday, February 9, 1943, 2:00 p.m.
L. B. 271,	Tuesday, February 9, 1943, 2:00 p.m.
L. B. 281,	Thursday, February 11, 1943, 2:00 p.m.
L. B. 284,	Thursday, February 11, 1943, 2:00 p.m.

L. B. 289, Thursday, February 11, 1943, 2:00 p.m.

L. B. 301, Thursday, February 11, 1943, 2:00 p.m.

Appropriations

L. B. 256, Monday, February 15, 3:00 p.m.

L. B. 221, Monday, February 15, 3:30 p.m.

Banking, Commerce and Insurance

L. B. 43, Thursday, February 11, 1943, 2:00 p.m.

L. B. 176, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 296, Tuesday, February 16, 1943, 2:00 p.m.

Committee on Committees

Following appointments set for hearing

Monday, February 8, 1943, 1:30 p.m.

John F. Mericle, State Liquor Control Commission

Theo. M. Osterman, State Liquor Control Commission

Alvin Johnson, Board of Education of State Normal Schools

E. D. Crites, Board of Education of State Normal Schools

Clyde Sharrar, State Aeronautics Commission

Harold Jessen, State Aeronautics Commission

Harold P. Sutton, State Aeronautics Commission

J. B. Rossiter, State Racing Commission

Elmer Kay, State Racing Commission

Ralph M. Kryger, Game, Forestation and Parks Commission

Harvey L. Webster, Nebraska Public Library Commission

Mrs. Ruby Northup, Nebraska Public Library Commission

Revenue

L. B. 220, Tuesday, February 23, 1943, 2:00 p. m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 125. Placed on General File.

LEGISLATIVE BILL 173. Placed on General File.

(Signed) Neubauer, Chairman

Education

LEGISLATIVE BILL 91. Indefinitely postponed.

(Signed) Matzke, Chairman

Revenue

LEGISLATIVE BILL 119. Placed on General File with amendments.

Standing Committee amendments to L. B. 119:

1. Amend page 2 of the bill, Section 1, line 3, by inserting after the comma following the figures "1940" the following: "and amendments thereof, and who holds a rank not greater than the lowest grade of commissioned officer in any branch of the service,".

2. Amend page 2 of the bill, Section 1, line 4, by striking the punctuation "." and adding the following: "of the value of not more than five hundred dollars in addition to the exemption now provided by law. The status of such person shall be determined as of April 1st of each year."

3. Amend the bill by adding Section 2, as follows: "Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title of the bill by striking the punctuation "." following the words "United States" in line 3, and by inserting in lieu

thereof the words and punctuation "; and to declare an emergency."

(Signed) Raecke, Chairman

Enrollment and Review

LEGISLATIVE BILL 21. Placed on Select File with amendments.

E and R amendments to L. B. 21:

1. In the bill, title, page 1, 4th line, strike the word "each" and insert in lieu thereof, the word "the"; in the 5th line, after the word "of" and before the word "such", insert the words "each of", and strike the word "hospital" and insert the word "hospitals" in lieu thereof; in the 6th line, strike the word "forty-eight" and insert in lieu thereof, the word "thirty-six".

2. In the bill, Section 1, page 2, line 3, strike the words "**the each**" and insert, in lieu thereof, the word "the"; and after the word "superintendent" insert the words "**of each**".

3. In the bill, Section 1, page 2, line 4, strike the word "be" and insert in lieu thereof, the word "**be**", and in line 5, strike the word "**to**" after the word "**not**" and insert, after the word "**exceed**", the words "**the sum of**".

4. In the bill, Section 1, page 2, line 6, insert, before the words "**to be**", the words: "**the amount thereof**".

LEGISLATIVE BILL 31. Placed on Select File with amendments.

E and R amendments to L. B. 31:

1. Strike out both Standing Committee amendments, and the legislative amendment by Mr. Gutoski.

2. In the bill, title, page 1, strike out the word "to" in the second line, all of the 3rd, 4th and 5th lines, and the words "tax reecipt" in the 6th line, and insert, in lieu thereof, the following:

> "eliminating, in counties with a population of two hundred thousand inhabitants or more, which have adopted the unit tax ledger, as provided by Section 2, legislative bill 32, fifty-sixth session of the Nebraska State Legislature, the requirement that original and duplicate tax receipts shall be firmly bound in book

> form; eliminating any requirement for a triplicate receipt, permitting tax receipts to be pre-written and requiring the cost, of so preparing the said tax receipts, to be paid for by the county board, out of the county general fund, in such counties which have so adopted such unit tax ledger".

3. In the bill, Section 1, page 2, line 5, strike the word "of", after the word "one" and before the word "the", and insert, in lieu thereof, the word "on".

4. In the bill, Section 1, page 2, lines 6 and 7, strike out the punctuation and words ". and He" and insert, in lieu thereof, the following: "and he .He".

5. In the bill, Section 1, page 2, strike out the word "They" in line 13 and all of lines 14 to 18 inclusive, and insert, in lieu thereof, the following:

> "They shall be firmly bound in book form, and the original, duplicate and triplicate of these receipts shall be attached together as one, and each duplicate and triplicate, of each original receipt, shall bear the same number as the original. **In counties with a population of two hundred thousand or more, which shall adopt the unit tax ledger, as provided for in Section 2, legislative bill 32, fifty-sixth session, Nebraska State Legislature, 1943, it shall not be necessary to bind the original and duplicate tax receipts together in book form or have triplicate tax receipts, such tax receipts may be pre-written and the cost, of so preparing such tax receipts, shall be paid for, by the county board of such county, out of the county general fund."**

6. In the bill, Section 1, page 2, line 21, strike the word "receipt", and insert in lieu thereof, the word "receipts".

7. In the bill, Section 1, page 2, line 27, insert the word "and" before the word "also".

8. In the bill, Section 1, page 2, lines 29 and 30, insert a comma (",") after the words "receipts" and also after the word "worthless".

9. In the bill, at the top of page 1, third line, strike "NO.".

LEGISLATIVE BILL 30. Placed on Select File with amendments.

E and R amendments to L. B. 30:

1. In the bill, at the top of page 1, third line, strike "NO.".

2. In the bill, title, page 1, 6th line, after the word "activities" and before the semicolon (";"), insert the following words and punctuation: " ; also extending the time within which an allocation of funds, for the development of such a project, may be made".

3. In the bill, section 1, page 2, line 27, strike out the figures "1939" and insert, in lieu thereof: "~~1939~~ **1941**", and strike the semicolon (";") after the word "amended" and insert, in lieu thereof, the following: "~~;~~;".

4. In the bill, Section 1, page 3, line 40, strike out the word "Federal" and insert, in lieu thereof, "~~federal~~ **Federal**" and the same amendment be made in Section 1, page 3, line 41, and in Section 2, page 4, lines 22, 26, 34 and 36.

5. In the bill, Section 1, page 3, in lines 43, 44, 45 and 46, strike the word and punctuation "Sec.", and insert, in lieu thereof, the following: "~~Sec.~~ **section**"; in line 43, also strike the word "and", and insert in lieu thereof, the word "~~and~~"; and in lines 44 and 45, strike the words: "or the limitations provided in", and insert, in lieu thereof, the following: "~~or the limitations provided in~~".

6. In the bill, Section 2, page 3, line 4, strike the words and punctuation "means: Enlisted" and insert, in lieu thereof: "~~mean: Enlisted~~ **means enlisted**".

7. In the bill, Section 2, page 4, line 12, strike the word "mean" and insert, in lieu thereof: "~~mean~~ **means**".

8. In the bill, Section 2, page 4, lines 28 and 29, strike the following: ", corporate or otherwise, of the United States of America." and insert, in lieu thereof, the following: ", ~~corporate or otherwise, of the United States of America.~~ **thereof, corporate or otherwise.**"

9. In the bill, Section 2, page 4, line 35, insert the word "**the**" after the word "of" and before the word "powers".

10. In the bill, Section 3, page 4, line 41, insert a comma (",") after the figures "**1941**".

11. In the bill, Section 3, page 4, line 2, strike the word "hereby".

12. In the bill, insert a comma (",") in the following places: Section 1, page 2, line 5, after the word "dwellings", line 6, after the word "activities", line 10, after the word "project" and also after the word "act", line 18, after the word "law", line 19, after the word "income", line 21, after the word "dwellings", line 22, after the word "activities", line 23, after the word "projects", line 24, after the word "hereunder", line 33, after the word "dwellings", and line 34, after the word "state"; in Section 1, page 3, line 39, after the word "area", and line 47, after the word "provided"; and Section 2, page 4, line 19, after the word "equipment", line 28, after the word "America", line 35, before the word "with" and also after the word "hereunder"; and line 36, after the word "government".

LEGISLATIVE BILL 35. Placed on Select File with amendments.

E and R amendments to L. B. 35:

1. In the bill, Section 2, page 2, line 3, insert a comma (",") after the word "fund"; in line 5, after the word "warrants", also after the word "Treasurer"; and in line 6, after the word "Supp.".

2. In the bill, Section 2, page 2, line 9, after the words "credit of" insert the words and punctuation: "such fund,".

LEGISLATIVE BILL 55. Placed on Select File with amendments.

E and R amendments to L. B. 55:

1. In the bill, title, page 1, 9th line, strike out the word "and".

2. In the bill, in the following sections and lines, on page 2, insert a comma (","): Section 1, line 3, after the word "person", in line 6, after the word "state"; and in line 8, after the word "tax" and also after the word "mentioned"; and in Section 2, line 3, after the word "statements".

LEGISLATIVE BILL 45. Placed on Select File with amendments.

E and R amendments to L. B. 45:

1. In the bill, title, page 1, 1st line, insert a comma (",") before and after the figures "1941", also in section 3, page 3, line 2, and in

Section 1, page 2, line 1, insert a comma (",") before the figures "1941".

2. In the bill, Section 1, page 2, line 8, strike the word "board" and insert, in lieu thereof: "~~Board~~ **board**".

3. In the bill, Section 1, page 2, line 21, strike the words "State Treasurer" and insert, in lieu thereof, "~~state treasurer~~ **State Treasurer**".

4. In the bill, Section 2, page 2, line 4, insert the word "~~age~~" before the word "age", to correct a misprint in the statute, where the word "age" appears twice in succession.

5. In the bill, insert a comma (",") in the following places: Section 1, page 2, line 5, after the word "Nebraska", line 6, after the word "years", and in line 7, after the word "person"; in Section 2, page 2, line 11, after the word "War"; Section 2, page 3, line 12, after the word "Government", and line 16, after the word "villages" and after the word "liable".

LEGISLATIVE BILL 67. Placed on Select File with amendments.

E and R amendments to L. B. 67:

1. In Standing Committee amendment No. 2, insert a comma (",") in the second line, before the word "**with**" and after the quotation mark.

2. In the bill, title, page 1, first line, also in Section 1, page 2, line 1, and Section 2, page 3, line 2, insert a comma (",") before the figures "1941"; also in the title, 7th line, after the word "prescribed"; and insert a comma (",") in the following places in the bill: Section 1, page 2, line 9, after the word "printed" and also after the word "part", line 13, after the word "county", line 14, after the word "accident", line 16, after the word "provided", line 21, after the word "county" and also after the word "provided", line 22, after the word "newspapers" and also after the word "herewith", line 25, after the word "county" and also after the word "year", line 26, after the word "provided", line 27, after the word "legal" and also before the word "in", line 30, after the word "notice" and also after the word "printed", line 31, after the word "part", and on page 3, line 44, after the word "**States**", line 46, after the word "**newspaper**", line 54, after the word "**judge**", and line 55, after the word "**published**".

3. In the bill, Section 1, page 2, insert the word "**a**" in the following places: Line 8, after the word "such", line 16, before the word "legal", and line 30, after the word "such".

4. In the bill, Section 1, page 2, line 15, insert the word "**in**" before the words "the year", and strike the word "the" at the end of said line.

5. In the bill, Section 1, page 3, line 45, insert the word "**other**" after the words "**all the**".

6. In the bill, Section 1, page 3, line 48, strike out the word "**the**" after the word "**of**" and before the word "**notice**", and insert, in lieu thereof, the words "**such a**".

7. In the bill, Section 1, page 3, line 57, strike out the words "**Register of Deeds**" and insert in lieu thereof, the following: "**register of deeds of said county**".

LEGISLATIVE BILL 80. Placed on Select File with amendments.

E and R amendments to L. B. 80:

1. Strike the legislative amendment made by Mr. Greenamyre.

2. In the bill, title, page 1, 2nd line, insert the word "the" after the word "to", and the word "a" after the word "of".

3. In the bill, title, page 1, 7th line, insert a comma (",") after the word "facts", and after the word "him", and in Section 1, page 2, line 7, insert a comma (",") after the word "concerned", in line 11, after the word "**facts**", and in line 12, after the word "**him**".

4. In the bill, title, page 1, 8th line, insert the word "and" before the words "to repeal", and in the 9th line strike out the semicolon (";") after the word "section".

5. In the bill, Section 1, page 2, line 6, strike out the word "to" before the word "which" and in lieu thereof insert the word "to", and after the word "nor" insert the words "**shall he act or**".

LEGISLATIVE BILL 85. Placed on Select File with amendments.

E and R amendments to L. B. 85:

1. In the bill, title, page 1, 6th line, insert the word "heretofore" after the word "use", and also insert a comma (",") after the word

"made"; in the 7th line, insert a comma (",") after the word "Funds"; in the 8th line insert the word "the" after the word "placing"; and in the 9th line insert a comma (",") after the word "temporary".

2. In the bill, Section 1, page 2, line 3, strike out the words "Board of Educational Lands and Funds" and insert, in lieu thereof, the following: "~~board of educational lands and funds~~ **Board of Educational Lands and Funds**".

3. In the bill, Section 1, page 2, lines 4 and 5, strike the words "accruing from the operation of this article" and insert in lieu thereof, the following: "~~accruing from the operation of this article~~".

4. In the bill, Section 1, page 2, line 6, after the word "state", insert the words "**and the same shall be**".

5. In the bill, Section 1, page 2, line 7, strike the word "same" and in lieu thereof insert the word "~~same~~".

6. In the bill, Section 2, page 2, line 2, insert a comma (",") after the word "Funds" and also in line 3, after the word "temporary".

LEGISLATIVE BILL 44. Placed on Select File with amendments.

E and R amendments to L. B. 44:

1. In the bill, title, page 1, strike the words "on all" in the 3rd line and all of the 4th, 5th and 6th lines thereof, and insert, in lieu thereof, the following words and punctuation:

> "of all personal taxes, more than ten years delinquent, of any taxpayer, shall cancel all claims for the personal taxes of such taxpayer for such years, if all other subsequent taxes, due, from such taxpayer, in that county, have been".

2. In the bill, Section 1, page 2, in line 4 and also in line 6, strike the comma ("~~,~~") and insert, in lieu thereof, a semicolon ("**;**"), and in line 9, strike "~~Provided~~" and insert, in lieu thereof, "~~Provided~~**,**".

3. In the bill, Section 1, page 2, strike the words "**delinquent for more**" in line 11, and all of lines 12 and 13, and insert, in lieu thereof, the following words and punctuation:

> **"of any taxpayer, delinquent for more than ten years, shall be cancelled upon the payment of the principal**

> **of such personal taxes, without interest, if all other personal taxes of such taxpayer in that county, due".**

4. In the bill, Section 1, page 2, line 14, insert a comma (",") after the word **"thereto".**

LEGISLATIVE BILL 83. Placed on Select File with amendments.

E and R amendments to L. B. 83:

1. In the bill, Section 1, page 2, line 5, strike the following: "a.m." and insert, in lieu thereof, the following: "A.M. **a.m.".**

2. In the bill, Section 1, page 2, line 9, insert a comma (",") after the word "open", and in line 10, after the word "thereof".

3. In the bill, Section 1, page 2, line 14, strike the words "Such courts shall be" and strike out all of lines 15, 16 and 17 thereof, and insert in lieu thereof, the following:

> "such courts shall be deemed to be always open for the filing of papers and issuance of process in civil actions, and for the purpose of taking and entering judgment by confession."

Correctly Engrossed

L. B. 7
L. B. 25
L. B. 90
L. B. 37
L. B. 24

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 3. Permission to Sue the State.

The President announced that L. R. 3 had been referred to the Committee on Judiciary.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 4. With emergency.

A bill for an act to amend section 31-611, Compiled Statutes of Nebraska, 1929, relating to sanitary drainage districts; providing that a sanitary drainage district may levy an additional tax of one mill on the dollar of actual valuation of taxable property during each of the years 1943 and 1944, and during said years only, for the purpose of widening, straightening and deepening channels and for the construction of levees and flood gates, as parts of the same projects, to prevent floods, and that the tax money collected by the additional levy shall be used exclusively for the purpose specified; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Anderson, D. S.
Gantz
Peterson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 26. Mr. Conklin moved that the bill be returned to E and R for re-engrossment.

The motion prevailed.

GENERAL FILE

Mr. Brodahl presiding

LEGISLATIVE BILL 1. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twentieth Day, were adopted.

Mr. Doyle moved to strike Section 7 of the bill.

The motion prevailed.

Mr. Neubauer moved to strike the emergency clause from the title.

The motion prevailed.

Mr. Sorrell moved to refer to E and R for review.

Mr. Hanna moved to indefinitely postpone.

Mr. Conklin moved to adjourn.

The Chair announced the motion to adjourn had carried with 25 ayes, 11 nays, 7 not voting.

Invitation

A letter was read from the Board of Control inviting the President and Members of the Legislature to attend a supper and entertainment at the State Penitentiary on Thursday, February 4, 1943 at 6:30 p.m.

Adjournment

At 12:27 p.m. the Chair declared the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 4, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m. President Johnson presiding.

Prayer was offered by the Reverend George Chenot of Lincoln.

The roll was called and all members were present except Mr. Matzke and Mr. Peterson who were excused.

The Journal for the Twenty-second Day was approved as corrected.

Visitor

President Johnson introduced Mr. Emil Brodecky of Howells, a former member, who addressed the Legislature briefly.

Communications

Letters were read from Brigadier General Amos Thomas of Medford, Oregon and Coxswain George T. Sullivan of San Francisco, California, former members, acknowledging receipt of Legislative Resolution 1.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Mueller, one, Mr. Conklin, one, favoring L. B. 166.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 228, Wednesday, February 24, 1943, 2:00 p.m.

L. B. 237, Wednesday, February 24, 1943, 2:00 p.m.

Public Works

L. B. 254, Friday, February 12, 1943, 2:00 p.m.

L. B. 259, Friday, February 12, 1943, 2:00 p.m.

L. B. 260, Friday, February 12, 1943, 2:00 p.m.

L. B. 192, Friday, February 12, 1943, 2:00 p.m.

L. B. 222, Friday, February 12, 1943, 2:00 p.m.

L. B. 152 Continued to Friday, February 12, 1943.

Government

L. B. 112, Friday, February 12, 1943, 2:00 p.m.

L. B. 138, Friday, February 12, 1943, 2:00 p.m.

L. B. 172, Friday, February 12, 1943, 2:00 p.m.

L. B. 101, Wednesday, February 17, 1943, 2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 118, Friday, February 12, 1943, 2:00 p.m.

L. B. 246, Friday, February 12, 1943, 2:00 p.m.
(Originally set for February 10, 1943)

L. B. 124, Wednesday, February 17, 1943, 2:00 p.m.

L. B. 139, Friday, February 19, 1943, 2:00 p.m.

L. B. 274, Friday, February 19, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 40. Placed on General File with amendments.

Standing Committee amendments to L. B. 40:

1. Amend the bill by striking the ";" following the word "clauses" in line 32 of the Title and insert a ".".

2. Amend the bill by striking the words "and to declare an emergency." in lines 32 and 33 of the Title.

3. Amend the bill by striking all of Section 5 and renumber the remaining sections accordingly.

4. Amend the bill by striking all of Section 12.

LEGISLATIVE BILL 41. Placed on General File with amendments.

Standing Committee amendments to L. B. 41:

1. Amend the bill by striking the ";" following the word "act" in line 15 of the Title and inserting a ".".

2. Amend the bill by striking the words "and to declare an emergency" in lines 15 and 16 of the Title.

3. Amend the bill by striking all of Section 2.

(Signed) Foster, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 53. Indefinitely postponed.

LEGISLATIVE BILL 47. Indefinitely postponed.

(Signed) Craven, Chairman

Enrollment and Review

LEGISLATIVE BILL 26. Correctly re-engrossed.

(Signed) James H. Anderson, Chairman

GENERAL FILE—SPECIAL ORDER

LEGISLATIVE BILL 1. At request of Mr. Sorrell, placed at foot of General File.

SELECT FILE

LEGISLATIVE BILL 21. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Mr. Greenamyre moved to refer to E and R for engrossment.

Mr. Garber moved to indefinitely postpone.

"Voting in the affirmative, 15:

Asimus
Burnham
Carmody
Conklin
Craven
Garber
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Osborne
Sorrell
Thomas
Weborg

Voting in the negative, 25:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Klaver
Lee
Mischke
Norman
Ogden
Raecke
Rakow
Reavis
Thompson
Tvrdik

Not voting, 3:

Hubka
Matzke
Peterson

The motion was lost."

Mr. Greenamyre's motion prevailed.

Referred to E and R for engrossment.

LEGISLATIVE BILL 31. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 30. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 35. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 55. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 45. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Mr. Mekota offered the following amendment, which was adopted by unanimous consent:

In Section 1, line 17, insert the words "on April first of each year" after the word "States" and before the punctuation period.

In Section 2, line 10, insert the words "on April first of each year" after the word "States" and before the word "and".

In Section 2, line 10, strike the word "the" and in line 11, insert after the word "war" and before the word "who" the words "Number I and II".

Referred to E and R for engrossment.

LEGISLATIVE BILL 67. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 80. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 85. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 44. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Speaker Crosby presiding

Referred to E and R for engrossment.

LEGISLATIVE BILL 83. E and R amendments, found in the Legislative Journal for the Twenty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 133. Read and considered.

Mr. Hanna offered the following amendment, which was adopted:

Sec. 1, page 2, line 5, strike the word "or" after the word "mark" and insert in lieu thereof the word "of".

Referred to E and R for review.

LEGISLATIVE BILL 61. Read and considered.

Mr. Mekota offered the following amendment, which was adopted:

Amend by adding the figures "1929" after the word "Nebraska" in line 2 of Sec. 1, and after the word "Nebraska" in line 2 of Sec. 2.

Referred to E and R for review.

LEGISLATIVE BILL 62. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 107. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 74.

Mr. Neubauer requested that unanimous consent be granted to have the Clerk read Section 1 as found in the Standing Committee amendment instead of Section 1 of the bill.

No objection was heard. The President so ordered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-first Day, were adopted.

Mr. Lee offered the following amendment, which was adopted:

In Section 1, strike the last three words in subdivision 1 of Section 1, and the comma after the word "habitat" in the last line of said subdivision; and re-insert the stricken matter in the third from the last line after the word "shall", and insert a comma after the word "possible".

At the request of Mr. Craven the bill was laid over for one day. Retains place on File.

LEGISLATIVE BILL 186. Passed over. Retains place on File.

LEGISLATIVE BILL 125. Read and considered.

Referred to E and R for review.

Visitor

Mr. Brodahl introduced Mr. William Putney of Wahoo, a former member, who addressed the Legislature briefly.

Members Excused

Mr. James H. Anderson and Mr. Carmody were excused from the session on Friday, February 5.

Adjournment

At 11:58 a.m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 5, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. James H. Anderson, Carmody, Neubauer and Peterson who were excused.

The Journal for the Twenty-third day was approved as corrected.

Communications

A letter was read from Mrs. Peter C. Smith of Gladstone regarding war time.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 232, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 235, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 241, Thursday, February 25, 1943, 2:00 p.m.

Public Health & Miscellaneous Subjects

L. B. 75, Wednesday, February 10, 1943, 2:00 p.m.

L. B. 149, Wednesday, February 10, 1943, 2:00 p.m.

L. B. 163, Wednesday, February 10, 1943, 2:00 p.m.

Appropriations

L. B. 389, Monday, February 15, 1943, 4:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 88. Indefinitely postponed.

(Signed) Raecke, Chairman

Enrollment and Review

LEGISLATIVE BILL 99. Replaced on Select File with amendments.

E and R amendments to L. B. 99:

Strike Enrollment and Review Committee amendments Nos. 1 and 7.

LEGISLATIVE BILL 57. Placed on Select File with amendments.

E and R amendments to L. B. 57:

1. In the bill, at the top of page 1, third line, strike "NO.".

2. In the bill, title, page 1, 5th line, after the word and punctuation "Banking;", insert the following: "making persons interested, in the ways specified, in any financial corporation, firm or company supervised by the Department of Banking, ineligible to be such deputies, examiners, attorneys or other assistants;".

3. In the bill, Section 1, page 2, line 1, insert a comma (",") before the figures "1941", in line 4, strike the comma (",") after the word "examiner" and insert in lieu thereof: ";"; in line 5, insert a comma (",") after the word "assistants" and also after the word "discharge", and in line 6, after the word "manner"; and in Section 1, page 3, line 35, after the word "office".

4. In the bill, Section 1, page 2, line 11, strike: ". Provided," and insert, in lieu thereof: ": Provided" ; in line 14, strike the word "The", and insert, in lieu thereof: "the **The**"; and in line 19, strike the word "The", and insert, in lieu thereof: "that the **The**".

5. In the bill, Section 1, page 2, line 17, strike out the words "or from" and insert, in lieu thereof: "or from," and in line 18, strike the period and insert, in lieu thereof: ";.".

6. In the bill, Section 1, page 2, line 20, strike the punctuation and word ", or", after the word "deputy" and insert, in lieu thereof, "," or", and after the word "assistant", in said line, strike out the comma (",").

7. In the bill, Section 1, page 2, line 21, strike out the word "or" before the word "assistant" and insert in lieu thereof: "or" ; and strike the comma (",") after the word "assistant".

8. In the bill, Section 1, page 2, line 22, strike out the word "the", after the word "of" and before the word "department", and insert, in lieu thereof: "said **the**", and in lines 23, 32 and 34, strike the comma (",") after the word "examiners".

9. In the bill, Section 2, page 3, line 2, strike out the word "hereby".

LEGISLATIVE BILL 55. Replaced on Select File with amendments.

E and R amendments to L. B. 55:

Amend Enrollment and Review Committee amendment No. 1 by inserting, after "page 1," and before "9th line", the following: "10th line in the original bill, and printed bill, the".

LEGISLATIVE BILL 86. Replaced on Select File with amendment.

E and R amendment to L. B. 86:

(1) In the bill, page 4, line 91, insert the word "the" before the word "Arikaree", to make it comply with the photostatic copy of the original compact.

LEGISLATIVE BILL 4. Correctly enrolled.

(Signed) Bowman, Vice Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill 4.

Introduction of Bills

Mr. Mischke announced that the Public Works Committee, by a majority vote of its members, introduced the following bill on public power districts:

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 405. By Committee on Public Works, Martin Mischke, Chairman

A bill for an act to amend sections 70-703 and 70-704, C. S. Supp., 1941, relating to public power and public power and irrigation districts; to provide that where any such district operates or is interested by ownership, lease or otherwise in the operation of, electric power plants, distribution systems, or transmission lines in more than fifty counties of the state, an amendment to the petition for the creation of the district shall be filed to provide for a board of directors consisting of seven members, to be appointed by the Governor; to prescribe the procedure for causing such amendment to be made; to provide for dissolution and liquidation of the district for failure to file such amendment; to provide the manner of increase or reduction of membership on the board of directors to seven, and the making of appointments by the Governor to membership on the board of directors of such district; to provide representation on the board of directors of such district from each congressional district in the state in which such district operates; and to repeal the original sections.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 42.

A bill for an act to amend Section 20-1203, Compiled Statutes of Nebraska, 1929, relating to the testimony of husband and wife; providing that either the husband or wife may be a competent witness against the other in criminal prosecutions where the crime charged is rape, adultery, bigamy, incest, or any crime committed by the one against the other; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 1: Jeffords.

Not voting, 7:

Anderson, James H.
Carmody
Gutoski
Neubauer
Norman
Peterson
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 23.

A bill for an act to amend section 39-1133, C. S. Supp., 1941, relating to operation of overcrowded motor vehicles upon the highways; to eliminate the provision that if an investigation of an accident reveal that the accident occurred due to the front or driver's seat being occupied by more than three persons over the age of twelve years, the operator shall be guilty of reckless driving, declared to be a misdemeanor and punishable as stated; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 32:

Anderson, D. S.
Asimus
Bowman
Brodahl
Doyle
Foster
Gantz
Garber
Jeffords
Jeppesen
Klaver
Lee
Ogden
Osborne
Raecke
Reavis.

Conklin
Crosby
Crossland
Cullingham
Greenamyre
Hanna
Heiliger
Hubka
Matzke
Mekota
Mischke
Mueller
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 11:

Anderson, James H.
Burnham
Carmody
Craven
Dooley
Gutoski
Neubauer
Norman
Peterson
Rakow
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 39.

A bill for an act to amend Section 33-116, Compiled Statutes of Nebraska, 1929, relating to fees to be charged by the county clerk as ex officio register of deeds; providing that the flat fee charged for recording instruments in probate cases shall include the fees for indexing; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 8:

Anderson, James H.
Carmody
Craven
Gutoski
Neubauer
Norman
Peterson
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 34.

A bill for an act to amend section 8-152, Compiled Statutes of Nebraska, 1929, relating to loans by banks, providing that adequate security or property statement shall be obtained on all loans of five hundred dollars or more, and to repeal said original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 23:

Anderson, D. S.
Brodahl
Conklin
Crosby
Crossland
Cullingham
Gantz
Greenamyre
Heiliger
Hubka
Klaver
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 9:

Bowman
Burnham
Dooley
Doyle
Hanna
Jeppesen
Osborne
Raecke
Weborg

Not voting, 11:

Anderson, James H.
Asimus
Carmody
Craven
Foster
Garber
Gutoski
Jeffords
Mekota
Neubauer
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Re-commit L. B. 17

Mr. President: I move to re-commit L. B. 17 to the Judiciary Committee without instructions as provided by Rule 13, Sec. 12 of the adopted Rules of this Legislature.

(Signed) Reavis

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 12.

A bill for an act relating to personal property which has been or may be hereafter acquired by the State of Nebraska; providing that the State Board of Educational Lands and Funds may sell and convert into money articles of personal property which have or may hereafter become the property of the common school fund through bequest, gift, escheat or forfeiture to the State of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Osborne.

Not voting, 5:

Anderson, James H.
Carmody
Crossland
Neubauer
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I vote against L. B. 12 because of the provision for private sale, which I consider dangerous.

(Signed) Osborne

LEGISLATIVE BILL 29.

A bill for an act to amend section 39-1406, Compiled Statutes of Nebraska, 1929, relating to motor vehicle registration fees; to provide for the division of such fees collected from residents of cities and incorporated villages within any county where the population of its cities and incorporated villages exceeds the rural population within its boundaries by 100,000 persons; providing for the use of such fees received by cities and incorporated villages; and to repeal said original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 37:

Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Miscke
Mueller
Norman
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, D. S.
Anderson, James H.
Carmody
Neubauer
Ogden
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I voted aye, but I still think that the senators from Omaha are much too modest in their demands.

(Signed) Rakow

MOTION—Lincoln Program

Mr. President: I move that we set 10:30 a.m. February twelfth as an order of the day for a program in honor of Abraham Lincoln, and that the Chaplain have charge of the program.

(Signed) Mueller.

The motion prevailed.

Visitor

Mr. Jeppesen introduced Mr. Will H. Rockwell of South Sioux City, a former member of the Legislature.

GENERAL FILE

Mr. Gutoski presiding

LEGISLATIVE BILL 74. Mr. Asimus offered the following amendments, which were adopted:

To restore subsection 2 of section 1 of the original bill.

To strike the words "when mechanically possible" in the Lee amendment.

Strike subdivision (2) of the Standing Committee amendments and insert in lieu thereof "(2) The Game, Forestation and Parks Commission shall have supervision over the enforcement of this act and shall investigate all complaints made hereunder."

Mr. Greenamyre moved that the bill be laid over until Monday, February 8, 1943, at 11:00 a.m. as a special order of business.

The motion was lost with 6 ayes, 18 nays, 19 not voting.

Mr. Asimus moved to refer to E and R for review.

The motion prevailed with 25 ayes, 4 nays, 14 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 186. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 173. Read and considered.

Mr. Mueller moved to refer to E and R for review.

Mr. Jeffords moved to indefinitely postpone.

Mr. Mekota requested that the bill be laid over until Monday and retain its place on the File.

So ordered.

LEGISLATIVE BILL 119. Read and considered.

Standing Committee amendment No. 1, found in the Legislative Journal for the Twenty-second Day, was adopted.

Mr. Mekota offered the following amendment, which was adopted:

That Standing Committee amendment No. 2 be amended by striking the words "not more than" in line 2.

Standing Committee amendment No. 2 was adopted as amended.

Standing Committee amendments Nos. 3 and 4 were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend the enacting clause by striking the word "Resolved" and inserting in lieu thereof the word "enacted".

Unanimous consent was granted to lay the bill over. Retains place on File.

LEGISLATIVE BILL 40. Read and considered.

Standing Committee amendments No. 1 and No. 2, found in the Legislative Journal for the Twenty-third day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend Section 8, page 6, by striking lines 1, 2, 3, and 4, and insert in lieu thereof the following: "The Department of Health shall provide the necessary printing and pay the necessary expenses"; and in line 9, strike the words "this appropriation".

Standing Committee amendment No. 4, found in the Legislative Journal for the Twenty-third day, was adopted.

Unanimous consent was granted to lay the bill over. Retains place on File.

REQUEST—To Make Special Order

Upon request by Mr. Hanna, unanimous consent was granted to make L. B. 1 Special Order of Business for Tuesday, February 9, 1943 at 11:00 a.m. So ordered.

Adjournment

At 12:09 p.m. Mr. Mischke moved that the Legislature adjourn until 10:00 a.m., Monday, February 8, 1943.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 8, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hanna and Mr. Neubauer, who were excused.

The Journal for the Twenty-fourth Day was approved as corrected.

Communications

A telegram was read from the Better Omaha Club commending the Legislature for the passage of L. B. 29.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Sorrell, one regarding chain stores, one opposing L. B. 200, one, favoring county and state fairs; Mr. Weborg, one, regarding chain stores.

The Clerk read House Joint Memorial No. 2 from the State of Arizona, opposing the privilege of Japanese-American youths of leaving concentration centers and securing an education in American colleges and universities, while the same privilege is denied to loyal American young men called to military service.

House Concurrent Resolution No. 16 from the State of Texas was read, petitioning Congress to permit an increase in the price of crude oil.

MOTION—To Send Flowers

Mr. President: I move that a committee of three be appointed to express the sympathy of the Legislature and send flowers for the funeral of Mrs. Neubauer's mother.

(Signed) Mueller

The motion prevailed and the President appointed the following members to serve on said committee:

Mueller Sorrell Mekota

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 253,	Wednesday, February 17, 1943, 1:30 p.m.
L. B. 386,	Wednesday, February 17, 1943, 1:30 p.m.
L. B. 269,	Wednesday, February 17, 1943, 1:30 p.m.
L. B. 300,	Wednesday, February 17, 1943, 1:30 p.m.
L. B. 248,	Friday, February 19, 1943, 1:30 p.m.
L. B. 405,	Friday, February 19, 1943, 1:30 p.m.
L. B. 286,	Friday, February 19, 1943, 1:30 p.m.
L. B. 324,	Friday, February 19, 1943, 1:30 p.m.

Judiciary

L. B. 304,	Wednesday, February 17, 1943, 2:00 p.m.
L. B. 308,	Wednesday, February 17, 1943, 2:00 p.m.
L. B. 240,	Monday, February 22, 1943, 2:00 p.m.
L. B. 247,	Monday, February 22, 1943, 2:00 p.m.
L. B. 258,	Monday, February 22, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 142. Indefinitely postponed.

(Signed) Doyle, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 5. Invitation to Andrew J. Higgins.

Introduced by Sam Klaver of Douglas.

WHEREAS, Andrew Jackson Higgins, a distinguished citizen and resident of New Orleans, Louisiana, a native of Nebraska and a ship builder of small craft for the navy, and

WHEREAS, Andrew Jackson Higgins was a former resident of Nebraska, having attended high school in Omaha, leaving Omaha in 1907, and

WHEREAS, Upon invitation extended, Andrew Jackson Higgins has accepted an invitation to address the Omaha Chamber of Commerce, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

1. That this Legislature hereby extends to Andrew Jackson Higgins, New Orleans, Louisiana, an invitation to come to Lincoln, Nebraska, and to address the Nebraska State Legislature on February 9, 1943, that we may receive the benefits of his reactions and impressions of the work being done by the "mosquito boats" he is building.

2. That a copy of this resolution, properly authenticated and suitably engrossed be forthwith prepared by the clerk of the Legislature, who is further directed to forward the same to Andrew Jackson Higgins.

Mr. Klaver moved that the rules be suspended and that Legislative Resolution 5 be considered at once.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Mr. Klaver moved that the resolution be adopted.

The motion prevailed.

Mr. Klaver moved that a committee of three be appointed to make arrangements and that the time be set for 10:15 a.m. on Tuesday, February 9.

The motion prevailed and the President appointed the following members to serve on said committee:

Klaver
Thompson
Osborne

MOTION—Not to Concur

Mr. President: I move that the Legislature do not concur in the committee report on L. B. 142.

(Signed) Osborne

Record vote requested.

Voting in the affirmative, 3:

Asimus
Carmody
Osborne

Voting in the negative, 29:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Craven
Crosby
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Klaver
Lee
Matzke
Mekota
Mischke
Norman
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik
Weborg

Not voting, 11:

Burnham
Crossland
Dooley
Hanna
Jeffords
Jeppesen
Mueller
Neubauer
Ogden
Sorrell
Thomas

The motion was lost.

Referred to Committee

L.B.	Introducer	Committee Reference
405	Committee on Public Works By Mischke, Chairman	Public Works

L. B. 177 Re-referred

The President announced that L. B. 177 had been re-referred from Committee on Public Health and Miscellaneous Subjects to Committee on Appropriations.

MOTION—To Invite Senator Norris

Mr. President: I move that a committee be appointed to make arrangements to have Senator George W. Norris as the guest of this Legislature.

(Signed) Crosby

The motion prevailed. The President appointed the following members to serve on said committee:

Crosby
Gantz
Tvrdik
Garber
Hanna

SELECT FILE

LEGISLATIVE BILL 99. E and R amendments, found in the Legislative Journal for the Twenty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 57. E and R amendments, found in the Legislative Journal for the Twenty-fourth Day, were adopted.

The following amendment, offered by Mr. Crosby, was adopted by unanimous consent:

Amend Sec. 1, line 33, by inserting after the word "monthly" the following words and punctuation: "provided, however, that such compensation shall in no event exceed $3,600.00 per annum."

Referred to E and R for engrossment.

LEGISLATIVE BILL 55. E and R amendment, found in the Legislative Journal for the Twenty-fourth Day, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 86. E and R amendment, found in the Legislative Journal for the Twenty-fourth Day, was adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Reavis presiding

LEGISLATIVE BILL 173. Mr. Jeffords' motion to indefinitely postpone was restated.

Mr. Burnham moved to lay the bill over until tomorrow morning.

The motion was lost.

Mr. Jeffords' motion prevailed with 19 ayes, 12 nays, 12 not voting.

Visitor

Mr. Peterson introduced Mr. Crist Andersen of Bristow, a former member of the Legislature.

Adjournment

At 12:05 p.m. on motion by Mr. Klaver the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 9, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Conklin, who was excused.

The Journal for the Twenty-fifth Day was approved.

Communications

A letter was read from Senator George W. Norris regarding his visit to the Nebraska Legislature.

A letter was read from Mrs. D. J. Coski of Donnelly, Idaho, regarding the difficulties in securing a birth certificate.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 213,	February 15, 1943, 2:00 p.m.
L. B. 366,	February 15, 1943, 2:00 p.m.
L. B. 236,	February 22, 1943, 2:00 p.m.
L. B. 249,	February 22, 1943, 2:00 p.m.
L. B. 264,	February 22, 1943, 2:00 p.m.
L. B. 265,	February 22, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS.

Committee on Committees

Appointments by Governor

Mr. President: Your Committee on Committees wishes to report favorably on the following appointments:

Clyde Sharrar, State Aeronautics Commission

Harold Jessen, State Aeronautics Commission

John F. Mericle, State Liquor Control Commission

Theo M. Osterman, State Liquor Control Commission

E. D. Crites, Board of Education of State Normal Schools

Alvin Johnson, Board of Education of State Normal Schools

J. B. Rossiter, State Racing Commission

Ralph M. Kryger, Game, Forestation and Parks Commission

Harvey L. Webster, Nebraska Public Library Commission

Mrs. Ruby Northup, Nebraska Public Library Commission

Harold P. Sutton, State Aeronautics Commission

(Signed) Tvrdik, Chairman

Mr. Tvrdik moved that the report be accepted; that the appointments be confirmed; and that they be voted on separately.

The motion prevailed.

Vote on Mr. Sharrar

Voting in the affirmative, 33:

Anderson, James H.
Asimus
Bowman
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Anderson, D. S.
Brodahl
Carmody
Conklin
Craven
Foster
Gantz
Jeffords
Norman
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Sharrar confirmed.

Vote on Mr. Jessen

Voting in the affirmative, 34:

Anderson, James H.
Asimus
Bowman
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Anderson, D. S.
Brodahl
Carmody
Conklin
Craven
Foster
Mekota
Norman
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Jessen confirmed.

Vote on Mr. Mericle

Voting in the affirmative, 31:

Anderson, James H.
Asimus
Bowman
Burnham
Crosby
Doyle
Gantz
Garber
Greenamyre
Hanna
Klaver
Lee
Mekota
Mischke
Mueller
Rakow
Reavis
Sorrell
Thomas
Thompson

Crossland
Cullingham
Dooley
Heiliger
Hubka
Jeffords
Neubauer
Ogden
Raecke
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 12:

Anderson, D. S.
Brodahl
Carmody
Conklin
Craven
Foster
Gutoski
Jeppesen
Matzke
Norman
Osborne
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Mericle confirmed.

Vote on Mr. Osterman

Voting in the affirmative, 34:

Anderson, James H.
Asimus
Bowman
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Anderson, D. S.
Brodahl
Carmody
Conklin
Craven
Foster
Greenamyre
Norman
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Osterman confirmed.

Vote on Mr. Crites

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Carmody
Conklin
Craven
Foster
Norman
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Crites confirmed.

Vote on Mr. Johnson

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Brodahl
Carmody
Conklin
Craven
Crosby
Foster
Greenamyre
Norman
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Johnson confirmed.

Vote on Mr. Rossiter

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Craven
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Carmody
Conklin
Crosby
Foster
Osborne
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Rossiter confirmed.

Vote on Mr. Kryger

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Carmody
Conklin
Craven
Crosby
Mekota
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Kryger confirmed.

Vote on Mr. Webster

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Brodahl
Carmody
Conklin
Craven
Crosby
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Webster confirmed.

Vote on Mrs. Northup

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Brodahl
Carmody
Conklin
Crosby
Peterson

Having received a majority of the votes of all members, the President declared the appointment of Mrs. Northup confirmed.

Vote on Mr. Sutton

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Carmody
Conklin
Craven
Greenamyre
Thompson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Sutton confirmed.

Statement for Journal

Mr. President: Had I been present I would have voted "aye" to confirm the appointments of Mr. Sharrar, Mr. Jessen, Mr. Mericle, Mr. Osterman, Mr. Crites and Mr. Johnson.

(Signed) Norman.

Enrollment and Review

Presented to Governor for approval.
L. B. 4, Friday, February 5, 1943, at 3:15 p.m.

(Signed) James H. Anderson, Chairman

Education

LEGISLATIVE BILL 180. Placed on General File with amendments.

Standing Committee amendments to L. B. 180:

1. To amend title of bill, lines 6 to 12, inclusive, by striking therefrom the following: "to provide for free high school education at the expense of the district to which the transfer is made where, in the same family, there are children of school age who have not completed the eighth grade and also children who desire to attend high school".

2. Amend page 4 of the bill, section 1, lines 74 to 81, inclusive, by striking all of the new matter contained in lines 74 to 81, inclusive.

(Signed) Matzke, Chairman

SELECT COMMITTEE REPORTS

Mr. Klaver reported that Mr. Andrew J. Higgins had been delayed in Omaha, but would address the Legislature on Wednesday, February 10.

Nebraska Legislative Council

Bill Drafting Service

Expenditures for January, 1943

NAME	Position	Salary Rate	Victory Tax Deducted	Net Amount Paid
James, Walter D.	Bill Drafter	$416.66	$18.23	$398.43
Wilson, John J.	Ass't. Bill Drafter	450.00	20.55	429.45
Zeller, Henrietta	Secretary	125.00	3.65	121.35
Gruver, Guinevere	Stenographer	110.00	2.90	107.10
Stewart, Winifred	Stenographer	100.00	2.40	97.60
Connelly, Helen	Stenographer	61.29	1.11	60.18
Castle, Florence	Proofreader	61.29	1.11	60.18
Stauder, Doris Ann	Stenographer (Temporary)	40.00	...	40.00
		1,364.24	49.95	1,314.29
Stewart, Winifred	Stenographer	100.00	None	6.46

(This covers two days' extra work in January and was paid February 1, and is part of voucher for $9.69, which included one day's work on the first day of February.)

Total expenditures for month of January, 1943, bill drafting service...$1,320.75

Assistant Bill Drafter John J. Wilson was held over four days in February on full time. Mr. James has been authorized to call on Mr. Wilson for part time work during February as needed.

(Signed) Matzke, Acting Chairman

Introduction of Bills

Mr. President: This bill regarding Garden County game refuge was reported out by unanimous vote of the Agriculture Committee and is introduced by that committee.

(Signed) Neubauer, Chairman

Mr. President: Your Committee on Education begs leave to report that at its regular session on Monday, February 8, 1943, it was voted by unanimous vote of the seven members present and voting to introduce a bill for an act to amend section 79-1611, C. S. Nebr. 1929, to provide for an increase in the salary of the Deputy Superintendent of Public Instruction.

That said bill is herewith submitted for introduction by the Committee on Education.

(Signed) Committee on Education
By Stanley A. Matzke, Chairman

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 406. By Committee on Agriculture,
E. M. Neubauer, Chairman

A bill for an act to amend section 37-412, Compiled Statutes of Nebraska, 1929, relating to the Garden County game refuge; to increase the width of the game refuge to forty rods on each side of the banks of the North Platte river; and to repeal the original section.

LEGISLATIVE BILL 407. By Committee on Education,
Stanley A. Matzke, Chairman

A bill for an act to amend section 79-1611, Compiled Statutes of Nebraska, 1929, relating to the deputy superintendent of public instruction; to provide for an increase in the salary of the deputy superintendent of public instruction; and to repeal the original section.

President Signs

While the Legislature was in session and capable of transacting business, the President signed,

Legislative Resolution 5.

GENERAL FILE

Mr. Mueller presiding

LEGISLATIVE BILL 119. Mr. Klaver moved to refer to E and R for review.

Mr. Reavis moved to indefinitely postpone.

Record vote was requested.

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Carmody
Crosby
Crossland
Cullingham
Dooley
Doyle
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Neubauer
Norman
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 3:

Asimus
Klaver
Foster

Not voting, 8:

Burnham
Conklin
Craven
Gantz
Greenamyre
Mueller
Ogden
Thompson

The motion prevailed.

LEGISLATIVE BILL 40. Mr. Foster moved to adopt Standing Committee amendment No. 3, found in the Legislative Journal for the Twenty-third Day.

The motion was lost.

Mr. Reavis and Mr. Matzke offered the following amendments, which were adopted:

1. Amend section 5 of the bill, page 4, lines 1 to 12, inclusive, by striking all of the first sentence therefrom.

2. Amend section 5 of the bill, page 4, lines 20 to 23, inclusive, by striking the balance of the sentence after the word "that" in line 20, and inserting in lieu thereof the following: "the female applicant is pregnant with child."

Mr. Mischke offered the following amendments, which were adopted:

1. Amend title of the bill, line 8, by striking therefrom the word "physician's".

2. Amend title of the bill, line 8, by inserting after the word "certificate" the words "of a physician, or any one authorized by law to make such certificate,".

3. Amend page 2 of the bill, section 1, line 6, by inserting after the comma and before the word "which", the following: "Or anyone authorized by the laws of Nebraska to make such certificate,".

4. Amend page 2 of the bill, section 1, line 11, by inserting after the comma and before the word "the", the following: "or anyone authorized by the laws of Nebraska to make such certificate,".

5. Amend page 2 of the bill, section 1, line 19, by inserting after the word "physician", the following: ", or anyone authorized by the laws of Nebraska to make such certificate,".

6. Amend page 3 of the bill, section 2, line 8, by inserting after the word "physician", the following: ", or anyone authorized by the laws of Nebraska to make such certificate,".

Consent was granted to add the name Harry A. Foster as a co-introducer.

Referred to E and R for review.

LEGISLATIVE BILL 41. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-third Day, were adopted.

Unanimous consent was granted to add the name Harry A. Foster as a co-introducer.

Mr. Mischke offered the following amendment, which was adopted:

Sec. 1, line 13, after "surgery" insert "or other person authorized by law to take such sample of blood".

Mr. Greenamyre offered the following amendments, which were adopted:

Strike the words "The sum" in line 32, Section 1, page 2 and lines 33 and 34 and the words "Health to cover the additional" and insert the words "The Department of Health shall provide the necessary".

Amend the title to conform to the amendments to the bill as a whole.

Referred to E and R for review.

Recess

At 10:40 a.m. on motion by Mr. Reavis the Legislature recessed until 11:00 a.m.

After Recess

The Legislature was called to order at 11:00 a.m., Mr. Mueller presiding.

The roll was called and all members were present except Messrs. Brodahl, Matzke and Conklin, who were excused.

SPECIAL ORDER OF BUSINESS

General File

LEGISLATIVE BILL 1. Mr. Hanna's motion to postpone indefinitely was debated.

The motion prevailed with 20 ayes, 18 nays, 5 not voting.

Adjournment

At 12:30 p.m. on motion by Mr. Gutoski the Legislature adjourned until 10:00 a.m. Wednesday, February 10, 1943.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-SEVENTH DAY

Legislative Journal, Lincoln, Nebraska

Wednesday, February 10, 1943

Pursuant to adjournment the Legislature met at 10:00 a.m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present, except Mr. Conklin, who was excused.

The Journal for the Twenty-sixth Day was approved as corrected

Member Excused

Mr. Doyle was excused for Wednesday afternoon and all day Thursday.

Statements for Journal

Mr. President: Had I been present, I would have voted "No" to indefinitely postpone L. B. 1.

(Signed) Brodahl

Mr. President: Had I been present yesterday, I would have voted "Yes" on the motion to indefinitely postpone L. B. 1.

(Signed) Matzke

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 188, Tuesday, February 16, 3:30 p.m.

L. B. 177, Monday, February 15, 1943, 4:15 p.m.

Agriculture

L. B. 169, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 174, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 323, Tuesday, February 16, 1943, 2:00 p.m.

L. B. 317, Thursday, February 18, 1943, 2:00 p.m.

L. B. 351, Thursday, February 18, 1943, 2:00 p.m.

L. B. 359, Thursday, February 18, 1943, 2:00 p.m.

Banking, Commerce and Insurance

L. B. 233, Thursday, February 18, 1943, 2:00 p.m.

L. B. 355, Thursday, February 18, 1943, 2:00 p.m.

L. B. 356, Thursday, February 18, 1943, 2:00 p.m.

L. B. 212, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 239, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 255, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 310, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 287, Thursday, February 25, 1943, 2:00 p.m.

L. B. 293, Thursday, February 25, 1943, 2:00 p.m.

L. B. 2, Thursday, March 4, 1943, 2:00 p.m.

Revenue

L. B. 313, Thursday, February 18, 1943, 2:00 p.m.

L. B. 294, Thursday, February 25, 1943, 2:00 p.m.

L. B. 403, Thursday, February 25, 1943, 2:00 p.m.

L. B. 297, Tuesday, March 2, 1943, 2:00 p.m.

L. B. 309,	Tuesday, March 2, 1943, 2:00 p.m.
L. B. 312,	Thursday, March 4, 1943, 2:00 p.m.
L. B. 321,	Thursday, March 4, 1943, 2:00 p.m.

Labor and Public Welfare

L. B. 102,	Monday, February 15, 1943, 2:00 p.m. (Continued)
L. B. 127,	Monday, February 22, 1943, 2:00 p.m. (Continued)
L. B. 156,	Monday, February 22, 1943, 2:00 p.m. (Continued)
L. B. 234,	Monday, February 22, 1943, 2:00 p.m.
L. B. 343,	Monday, February 22, 1943, 2:00 p.m.
L. B. 290,	Monday, March 15, 1943, 2:00 p.m.
L. B. 292,	Monday, March 15, 1943, 2:00 p.m.
L. B. 330,	Monday, March 15, 1943, 2:00 p.m.
L. B. 341,	Monday, March 1, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 196. Placed on General File.

LEGISLATIVE BILL 178. Placed on General File with amendments.

Standing Committee amendments to L. B. 178:

1. Amend title of the bill, line 7, by striking the word "and" following the semicolon and before the word "to".

2. Amend title of the bill, line 7, by striking the period after the word "section" and inserting in lieu thereof the following: "; and to declare an emergency".

3. Amend page 4 of the bill by adding a new section 3 following section 2, to read as follows:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

(Signed) Peterson, Chairman

Enrollment and Review

Correctly engrossed

L. B. 66	L. B. 21	L. B. 80
L. B. 35	L. B. 44	

Correctly enrolled

L. B. 12	L. B. 29
L. B. 23	L. B. 34

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 12	L. B. 29
L. B. 23	L. B. 34

Referred to Standing Committees

L. B.	Introducer	Committee Reference
406	Committee on Agriculture By Neubauer, Chairman	Agriculture
407	Committee on Education By Matzke, Chairman	Revenue

Bills Re-referred

L. B. 305 was re-referred from Committee on Banking, Commerce and Insurance to Committee on Judiciary.

L. B. 306 was re-referred from Committee on Agriculture to Committee on Judiciary.

L. B. 307 was re-referred from Committee on Revenue to Committee on Judiciary.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 7.

A bill for an Act to amend section 88-162, Compiled Statutes of Nebraska, 1929, relating to public warehouses; providing that bonds shall be filed with, and approved by and licenses issued by the State Railway Commission instead of the Governor; to declare an emergency; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Anderson, D. S.
Conklin
Norman
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 25. Laid over one day.

LEGISLATIVE BILL 90.

A bill for an Act to amend section 54-152, C. S. Supp., 1941, relating to brand inspection; adding Antelope, Boone, Greeley and Valley counties to the Nebraska brand inspection area; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Conklin.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 37. With emergency clause.

A bill for an act to amend section 76-270, Compiled Statutes of Nebraska, 1929, relating to the acknowledgment of legal instruments, attestation of documents, administration of oaths and other notarial acts; providing that the acknowledgment of legal instruments, attestation of documents, administration of oaths and other notarial work, heretofore or hereafter taken before any duly commissioned officer of the army, navy, marine corps, coast guard, or any other component part of the armed forces of the United States shall be legal, valid and binding; providing what proof shall be sufficient of the authority of such an officer to so act; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2: Conklin Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 24.

A bill for an Act to amend section 79-2806, C. S. Supp., 1941, relating to junior colleges; to permit the temporary suspension of a junior college until September first, 1947, without affecting the legal status of such college, and to permit its reopening within that time; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Dooley
Doyle
Foster
Gantz
Jeffords
Jeppesen
Klaver
Lee
Ogden
Osborne
Peterson
Raecke

Brodahl
Burnham
Carmody
Crosby
Crossland
Cullingham
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2: Conklin Craven

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 3. Mr. Craven moved to postpone indefinitely.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL 180. Mr. Peterson moved that the rules be suspended and that the bill be considered at once.

The motion prevailed with 33 ayes, no nays, 10 not voting.

The bill was read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-sixth Day, were adopted.

Visitor

In response to the invitation extended through Legislative Resolution 5, Mr. Andrew Jackson Higgins of New Orleans, Louisiana, was introduced by the President and addressed the Legislature.

Member Excused

Mr. Sorrell was excused for all day Thursday.

Adjournment

At 11:46 a.m. on motion by Mr. Greenamyre the Legislature adjourned until 10:00 a.m. Thursday.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 11, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Conklin, Doyle, Jeffords and Sorrell, who were excused.

The Journal for the Twenty-seventh Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 305, Wednesday, February 17, 1943, 2:00 p.m.

L. B. 306, Wednesday, February 17, 1943, 2:00 p.m.

L. B. 307, Wednesday, February 17, 1943, 2:00 p.m.

L. B. 257, Monday, March 1, 1943, 2:00 p.m.

L. B. 275, Monday, March 1, 1943, 2:00 p.m.

L. B. 276, Monday, March 1, 1943, 2:00 p.m.

L. B. 278, Monday, March 1, 1943, 2:00 p.m.

L. B. 206 will be continued for hearing from February 17 to February 24, 1943, at 2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 117,	Wednesday, February 24, 1943, 2:00 p.m.
L. B. 268,	Wednesday, February 24, 1943, 2:00 p.m.

Government

L. B. 326,	Wednesday, February 17, 1943, 2:00 p.m.
L. B. 302,	Wednesday, February 17, 1943, 2:00 p.m.
L. B. 291,	Wednesday, February 17, 1943, 2:00 p.m.
L. B. 101,	Wednesday, February 24, 1943, 2:00 p.m. Originally set for February 17, now changed to February 24.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 252. Placed on General File with amendments.

Standing Committee amendments to L. B. 252:

1. Amend the bill by striking the following in Section 3, line 14 through line 20: "Any cattle being moved from any point within the brand area to any point outside the brand area without first having had inspection as provided may be deemed as contraband, and may be detained on any highway, road, street or thoroughfare in the State of Nebraska by any peace officer, or any inspector of the Nebraska Brand Committee until a proper inspection may be had."

2. Amend the bill by striking the words "one hundred" in Section 4, line 11 and insert the word "fifty".

LEGISLATIVE BILL 271. Placed on General File.

LEGISLATIVE BILL 200. Indefinitely postponed.

(Signed) Neubauer, Chairman

Judiciary

LEGISLATIVE BILL 189. Indefinitely postponed.

LEGISLATIVE BILL 209. Placed on General File with amendments.

Standing Committee amendments to L. B. 209:

1. Amend the bill in Section 1, line 20, by inserting between the word "publication" and punctuation "," in said line the words "three successive weeks".

2. Strike Section 2 of the bill and renumber the remaining sections accordingly.

3. Amend the bill by adding a new section, as follows:

> "Sec. 12. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title of the bill in line 7 by striking the punctuation "." after the word "therefor" and inserting in lieu thereof the punctuation ";" and by adding the words and punctuation "and to declare an emergency."

(Signed) Gantz, Chairman

Revenue.

LEGISLATIVE BILL 89. Placed on General File with amendments.

Standing Committee amendments to L. B. 89:

1. Amend the bill by striking all of the bill after the enacting clause and substituting in lieu thereof the following:

"Section 1. That section 77-307, C. S. Supp., 1941, be amended to read as follows:

77-307. (1) **The county judge of each county, upon the filing of an inventory in the estate of each deceased person probated in his court, shall forthwith furnish a copy of such inventory to the county assessor of his county, and, when the value of the estate exceeds fifty thousand dollars, a copy of such inventory shall also be mailed to the Tax Commissioner. For such purposes, the county judge may require the filing of such inventories in duplicate or triplicate.**

(2) **Upon receipt of copy of inventory** the ~~tax commissioner or his subordinates acting in concert with each county judge, upon the filing of the inventory for an estate~~, **county assessor** shall check the listed personal property, both tangible and intangible, to determine whether it was returned for taxation during the three taxing periods prior to the taxing period during which deceased died~~.~~ **: Provided, that in counties where the county clerk acts as county assessor, or where the county assessor is not on active duty throughout the year and has completed the duties required of him in section 77-1612, Compiled Statutes of Nebraska, 1929, such copy shall be furnished to the county clerk, and he shall perform the duties herein required of the county assessor.**

(3) If, **upon check of the inventory, it is found that** any personal property ~~both~~ **either** tangible or intangible, was not returned by the deceased during the three taxing periods or any taxing period included therein, the ~~county judge, acting together with the tax commissioner, his subordinates, the county clerk and the county treasurer of the county,~~ **county assessor,** shall compute the tax for the year or years, during which the payment of taxes on ~~said~~ **the** personal property was avoided within the three **taxable** years prior to the year deceased died, at the ~~total~~ **same** tax rate as **would have been** imposed upon ~~tangible~~ **the** property in the governmental subdivision of the State of Nebraska in which **the property should have been returned for taxation, and shall certify the years unpaid and the amount thereof to the county treasurer of such county. To the tax shall be added interest at seven per cent per annum from the date the tax would have been due if the property had been returned for taxation, plus a penalty of ten per cent of the amount due on tangible property and fifty per cent of the amount due on intangible property.** ~~decedent last maintained his or her legal residence.~~

(4) ~~When the amount of the tax due is so computed,~~ **Upon receiving the certification above provided,** the county treasurer shall ~~then~~ **forthwith** file a claim against the estate for the amount of taxes ~~found due and unpaid:~~ **, interest, and penalties as certified.** ~~and the~~ The county judge shall ~~allow the same~~ **thereupon set a time for hearing, and give the personal representative of the deceased and the county attorney notice by registered mail thereof. At the hearing, if the claim is found to be correct in whole or in part, it shall be allowed in such amount as the county court finds proper as a preferred claim.** The tax so paid to the county treasurer shall be by him distributed to the state and its governmental subdivisions, in proportion to the ~~last~~ levies on **tangible and intangible property** for state and other purposes~~.~~ **for the year or years during which the payment on the personal property was avoided.**

Sec. 2. That original section, 77-307, C. S. Supp., 1941, is repealed."

2. Amend the title of L. B. 89 by inserting after the punctuation ";" in line 14 the following: "to provide for distribution of such tax paid;".

(Signed) Raecke, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 75. Placed on General File with amendments.

Standing Committee amendments to L. B. 75:

1. Amend the bill by inserting the following after the punctuation "," following the word "purpose" in line 14 of Section 1 "or for cause as defined and provided for in Section 55-117 of the Compiled Statutes of Nebraska, 1929,".

LEGISLATIVE BILL 149. Placed on General File with amendments.

Standing Committee amendments to L. B. 149:

1. Amend the bill Section 1, line 17 by striking the words "a licensed pharmacist" and by inserting in lieu thereof the following "persons licensed to practice the professions above named".

2. Amend the bill by striking all of Section 3 and inserting in lieu thereof the following:

Sec. 3. That section 71-1806, C. S. Supp., 1941, be amended to read as follows:

71-1806. An accredited school or college of pharmacy shall be one approved by the Board of Examiners in Pharmacy. It shall be a school or college which maintains at least a four year course in pharmacy, consisting of not less than thirty-two weeks of instruction each **school** year~~,~~. ~~with~~ **After March 1, 1945, it shall have** a vacation of not less than two months intervening between each school year. The required course shall include a minimum of thirty-two hundred hours in lectures and recitation, and not less than thirteen hundred hours of laboratory instruction~~.~~**, and conform to such other regulations as may be prescribed by the Board of Examiners in Pharmacy.**

3. Amend the bill by adding thereto the following section:

Sec. 4. That original sections 71-209, 71-1804, and 71-1806, C. S. Supp., 1941, are repealed.

LEGISLATIVE BILL 163. Placed on General File with amendments.

Standing Committee amendments to L. B. 163:

1. Amend the bill, Section 1, by striking therefrom all of line 14.

2. Amend the bill by striking all of Section 1 after the word "year" in line 16.

3. Amend the bill by striking the ";" after the word "year" in Section 1, line 16 and insert in lieu thereof the punctuation ".".

4. Amend the Title of the bill by striking line 7 thereof following the word "inhabitants" and by striking the words "five thousand inhabitants" in line 8 thereof.

5. Amend the Title of the bill by striking the ";" in line 8 and insert in lieu thereof the punctuation ".".

(Signed) Foster, Chairman

Public Works

LEGISLATIVE BILL 170. Placed on General File.

LEGISLATIVE BILL 187. Placed on General File with amendments.

Standing Committee amendments to L. B. No. 187:

In Section 1, line 45, after the word "purpose", add the following:

"Provided that where the necessary land is acquired by lease it shall not be necessary to submit the proposition of such acquisition by lease to the legal electors of such city, and provided further that where acquisition is by lease such cities without a vote of the legal electors may levy an annual tax of not to exceed one mill on the dollar of the actual valuation of the taxable property within the corporate limits of such city for the purpose of leasing, improving and maintaining such aviation field."

LEGISLATIVE BILL 158. Placed on General File.

LEGISLATIVE BILL 130. Placed on General File.

LEGISLATIVE BILL 179. Placed on General File.

(Signed) Mischke, Chairman

Enrollment and Review

Presented to Governor for approval

Thursday, February 11, 1943, at 9:30 a.m.

Legislative Bill 12	Legislative Bill 29
Legislative Bill 23	Legislative Bill 34

LEGISLATIVE BILL 32. Placed on Select File with amendments.

E and R amendments to L. B. 32:

1. In Standing Committee amendments Nos. 4, 5, 6 and 8, strike the period after the word "more" and before the quotation mark, and insert, in lieu thereof, a comma (","); in Standing Committee amendments Nos. 1, 2 and 9, strike the period after the word "more".

2. In the bill, title, page 1, first line, after "77-1806", strike the comma (",") and in lieu thereof, insert the word "and"; in the 3rd line, insert: "77-" before the figures "1805", and insert a comma (",") before the figures "1941".

3. In the bill, insert a comma (",") before the figures "1941", in the following places: Section 2, page 2, line 1; Section 3, page 4, line 1; and Section 6, page 6, line 3.

4. In the bill, Section 1, page 2, line 9, strike the word "**listing**" and insert, in lieu thereof, the word "**containing**".

5. In the bill, Section 1, page 2, line 22, strike the word "in", at the beginning of said line, and in lieu thereof, insert the word "~~in~~", and in line 25, strike the semicolon (";") and in lieu thereof, insert: "~~;~~".

6. In the bill, Section 2, page 2, line 27, strike the word "**Provided**" and in lieu thereof, insert the word "Provided", it not being new matter.

7. In the bill, Section 2, page 3, line 8, strike the word "list" and in lieu thereof, insert: "~~list~~ **lists**", and in line 25, strike the semicolon and insert: "~~;~~;".

8. In the bill, Section 3, page 4, line 5, strike out the word "**or**", after the word "**city**" and before the word "**county**" and in lieu thereof, insert a comma (",").

9. In the bill, Section 3, page 4, line 15, strike out the following: "section-, **Sec.**", and in lieu thereof, insert the following: "section;".

10. In the bill, Section 3, page 4, line 16, strike out the comma (",") before the figures "**1941**", also after the word "amended", and in line 17, after the word "tax", and in lieu thereof, insert the punctuation ";".

11. In the bill, insert a comma (",") in the following places: Section 2, page 3, line 4, after the word "boards", line 11, after the word "villages" and also after the word "book"; line 12, after the word "county"; Section 3, page 4, line 3, after the word "uniform"; line 5, after the word "**county**", at the end of said line; line 13, after the word "completed"; line 14, after the word "clerk"; line 18, after the word "and"; line 19, after the word "taxes"; line 27, after the word "**account**"; section 3, page 5, line 28, after the word "**assessed**"; line 29, after the word "**collections**"; Section 4, page 5, line 6, after the word "**compilation**"; line 19, after the word "warrant", also after the word "for"; and in Section 5, page 6, line 5, after the word "form".

12. In the bill, insert the word "**the**" in the following places: Section 2, page 3, line 8, after the words "shall be"; in Section 3, page 4, line 10, after the word "show".

13. In the bill, Section 3, page 5, strike out the words "**The supervisors of tax**", in line 30, and all of lines 31 to 36 inclusive, and insert, in lieu thereof, the following:

> "The supervisor of tax list **lists** shall return his completed tax records to the county clerk in time for transmission to the county treasurer, as provided by law."

14. In the bill, Section 4, page 5, line 13, strike the word "No" after the word "but" and insert, in lieu thereof, the following: "no **No**".

15. In the bill, Section 5, page 6, below line 7, in the several places, strike out where parts of lines are shown as "— — — —" and insert, in lieu thereof, the following: "........", as shown in the statute.

16. In the bill, at the top of page 1, third line, strike "NO.".

17. In Standing Committee amendment No. 9, strike the word "ledgers" in the second line thereof, and in lieu thereof, insert the word "**ledger**".

LEGISLATIVE BILL 113. Placed on Select File with amendments.

E and R amendments to L. B. 113:

1. In the bill, title, page 1, strike the word "crossing" in the 2nd line, and all of the 3rd to 8th lines, inclusive, and in lieu thereof, insert the following:

> "the crossing of public roads and highways and the use and appropriation of roads, highways and other public property for the plant, equipment or right of way of pipe lines; to provide for reasonable regulations and restrictions, in regard thereto, and by whom made; and to".

2. In the bill, Section 1, page 2, insert a comma (",") in the following places: Line 3, after the word "association"; line 5, after the word "Nebraska"; line 6, after the word "cross" and also after the word "line"; line 9, after the word "**Irrigation**"; line 10, after the word "county" and before the word "as"; in Section 2, page 2, line 4, after the word "property"; line 5, after the word "equipment" and line 6, after the word "herein".

3. In the bill, Section 1, page 2, line 11, strike the following: "**the county, shall**", and in lieu thereof, insert the following: "**such county, and** shall **also**".

4. In the bill, Section 1, page 2, line 12, strike the following: "in such county to lay", and in lieu thereof, insert the following: "in such county to lay, **re-lay or maintain**".

5. In the bill, Section 2, page 2, line 4, strike the following: "or highway or any", and in lieu thereof, insert the following: ", or highway or any".

6. In the bill, Section 2, page 2, line 6, strike the word "such" after the word "under" and before the word "reasonable", and in lieu thereof insert: "such".

7. Strike legislature amendment made by Mr. Gantz, and in the bill, Section 2, page 2, strike the words "as may be prescribed by the" in line 7, and all of the remainder of said section, and in lieu thereof, insert the following:

> "as may be prescribed by the county commissioners of each county in which such pipe line is constructed.

> ~~No use or appropriation of any public lands or other public property in which the title is vested in the state for the right of way of any pipe line, plant or equipment provided for herein shall be made except under such reasonable regulations and restrictions as may be prescribed by the state board of educational lands and funds~~ . **These may be prescribed by the Department of Roads and Irrigation, if such road or highway is a state or federal highway, by the county board of each county, as to all other public roads and highways in such county, by the Board of Educational Lands and Funds, as to any other public lands, title to which is in the State of Nebraska, and by the board, or other governing body, having the title or supervision thereof, as to other public lands or property .**"

LEGISLATIVE BILL 133. Placed on Select File with amendments.

E and R amendments to L. B. 133:

1. In the bill, title, page 1, 4th line, after the semicolon (";") and before the word "and", insert the following:

> "providing for a notice to every record owner of such a brand or mark, of such renewal period, at least ninety days before such time, the furnishing of certain information, by such owner, to the Secretary of State and the forfeiting of such a brand or mark under certain circumstances;"

2. In the bill, title, page 1, 5th line, strike the figure "5" and in lieu thereof, insert the following: "54-135, C. S. Supp., 1941" .

3. In the bill, Section 1, page 2, lines 5 and 12, after the word "association", strike the comma (",") and in lieu thereof, insert: "~~;~~" .

4. In the bill, Section 1, page 2, line 9, after the word "dollars" and before the period ("."), insert the following: "~~(2.00)~~".

5. In the bill, Section 1, page 2, line 17, strike the punctuation and word: ". No", and in lieu thereof, insert: " : ~~Provided, however, no~~ **. No**" .

6. In the bill, Section 1, page 2, line 19, strike the punctuation and word: ". It", and in lieu thereof, insert: " : ~~Provided, however it~~ **. It**" .

7. In the bill, Section 1, page 2, line 22, strike the semicolon (";") after the word "possible", and in lieu thereof, insert "~~;~~, ".

8. In the bill, Section 1, page 2, line 30, after the word "**and**" and before the word "**ninety**" insert the following: "**, at least**".

9. In the bill, Section 1, page 3, line 35, after the word "**as**" and before the word "**required**", insert the words: "**may be**".

10. In the bill, Section 2, page 3, line 1, strike the following: "sections 54-126 and", and in lieu thereof, insert the following: "original section 54-126, C. S. Supp., 1941, and also section", and insert a comma (",") after "54-135".

11. In the bill, Section 1, page 2, insert a comma (",") in the following places: line 6, after the word "corporation" and before the word "shall"; Line 11 after the word "same" and before the word "as"; line 13 after the word "corporation" and before the word "and"; line 30, after the word "**years**" and before the word "**commencing**", and line 31, after the word "**time**" and before the word "**the**".

LEGISLATIVE BILL 186. Placed on Select File with amendments.

E and R amendments to L. B. 186:

1. In the bill, title, page 1, 3rd line, and also Section 1, page 2, line 2, insert a comma (",") before the word "designated".

LEGISLATIVE BILL 84. Placed on Select File with amendments.

E and R amendments to L. B. 84:

1. In the bill, title, page 1, 3rd line, insert the word "the" after the word "for", and the word "a" after the words "territory of"; insert a comma (",") in the 4th line, after the word "district"; in the 6th line strike the word "in" and in lieu thereof, insert the following: ", either in his, her or"; in the 7th line strike the word "and" and in lieu thereof, insert "or"; in the 7th and 8th lines, strike the words "his own" and in lieu thereof, insert the words: "the same"; in the 10th line, strike out the word "travel" and in lieu thereof, insert "the distance for such pupil or pupils to travel to school"; and in the 13th line, after the word "such" and before the word "territory", insert the word "attached".

2. In the bill, Section 1, page 2, line 6, strike the word "the" before the word "amount", and in lieu thereof, insert the words "~~the~~ **that**".

3. In the bill, Section 1, page 2, line 8, strike the word "or" before the word "property", and in lieu thereof, insert the words "or **of**".

4. In the bill, Section 1, page 2, line 9, after the word "dollars", strike the semicolon (";") and in lieu thereof, insert: "- ;".

5. In the bill, Section 1, page 2, line 11, strike the word "then" before the words "the county", and in lieu thereof, insert the word "then".

6. In the bill, Section 1, page 2, line 18, strike the word "he", after the word "as" and before the word "may", and in lieu thereof, insert the following: "he **such county superintendent**".

7. In the bill, Section 1, page 2, line 22, strike the words: "**in their own district and also**" and in lieu thereof, insert: "**, either in his, her or their own district or in**".

8. In the bill, Section 1, page 2, line 23, strike the words "**their own**" and in lieu thereof, insert the words "**the same**", and in the same line, strike the punctuation and word "**, by**".

9. In the bill, Section 1, page 2, line 26, strike the word "the" before the word "**child**" and in lieu thereof, insert the word "**such**".

10. In the bill, Section 1, page 2, line 27, after the word "**in**" and before the word "**their**", insert the following: "**his, her or**".

11. In the bill, Section 1, page 2, line 33, strike the word "**himself**", and in lieu thereof, insert the following: "**such Superintendent of Public Instruction**".

12. In the bill, Section 1, page 3, line 35, after the word "**resides**" strike the comma (","), and also in line 42, after the word "**applicant**".

13. In the bill, Section 1, page 3, line 65, after the word "twenty", insert the following: "(20)".

14. Insert a comma (",") in the following places, in the bill:
Section 1, page 2, line 5, after the word "reduced" and also after the word "otherwise", in line 18, after the word "districts", in line 24, after the word "**territory**", line 25, after the word "water" and also after the word "**county**", line 28, after the word "**request**", line 29, after the word "**Instruction**", and line 30, after the word "**attached**" and also after the

word **"purposes"**; and on page 3, line 38, after the word **"convened"**, line 39, after the word **"resides"**, line 44, after the word **"mail"**, line 45, before the words **"at least"**, line 51, after the word **"territory"**, Line 52, after the word **"water"**, line 53, after the word **"county"**, line 54, after the word **"attached"**, line 56, after the word **"pupils"** and also after the word **"purposes"**, line 59, after the word "size", line 60, after the word "district", line 61, after the word "privileges", line 63, after the word "annexation", line 64, after the word "channel" and line 68, after the word "pupil"; and on page 4, line 69, after the word "portion".

LEGISLATIVE BILL 61. Placed on Select File with amendments.

E and R amendments to L. B. 61:

1. In the legislature amendment by Mr. Mekota, insert a comma (",") after the quotation mark and before the figures "1929".

2. In the bill, title, page 1, 7th line, strike the comma (",") after the word "building", and in the 8th line, insert a comma (",") before the word "which".

3. In the bill, Section 1, page 2, line 5, strike the comma (",") after the word "done", and in lieu thereof, insert the punctuation "_" ; in line 12, after the word "require", strike the semicolon and insert the following: "_ ;" and in line 23, strike the comma (",") after the word **"building"**.

4. In the bill, Section 2, page 3, line 2, strike the word "hereby".

LEGISLATIVE BILL 57. Replaced on Select File with amendments.

E and R amendments to L. B. 57:

1. In the legislature amendment by Mr. Crosby, strike the period (".") after the word "annum" and before the quotation mark, insert a comma (",") before the word "provided", and underscore all new subject matter in said amendment, as changed hereby.

2. In the bill, title, page 1, second line, strike the word "removing" and in lieu thereof, insert the word "changing".

LEGISLATIVE BILL 45. Replaced on Select File with amendments.

E and R amendments to L. B. 45:

1. Strike the last amendment made by Mr. Mekota, after the approval of Enrollment and Review Committee amendments, and make the following additional amendments:

(A) In the bill, Section 2, page 2, line 11, strike the words "World War" and also strike the comma (",") inserted after said words by Enrollment and Review Committee amendment No. 5, and, in lieu thereof, insert the following:

> "**first and second** World ~~War~~ **Wars, often referred to, respectively, as World War I and World War II,**".

(B) In the bill, title, page 1, 5th line, after the word "States" and before the word "shall", insert the following: ", on April first of each year,".

(C) In the bill, title, page 1, 7th line, after the semicolon (";") and before the word "and", insert the following:

> "adding to those exempted from the poll tax, herein set forth, honorably discharged veterans of the second World War, often referred to as World War II;"

LEGISLATIVE BILL 58. Placed on Select File with amendments.

E and R amendments to L. B. 58:

1. In the bill, title, page 1, 7th line, after the word "securities" and before the semicolon (";"), insert the following: "; adding a provision that such association may make loans to its own members upon the terms and security provided for in sections 45-131 to 45-157, inclusive, C. S. Supp., 1941".

2. In the bill, Section 1, page 2, line 13, strike the semicolon (";") after the word "thereof", and in lieu thereof, insert the following: "÷ ;", also in section 1, page 3, line 67, after the word "therefor" and Section 1, page 4, line 89, after the word "government".

3. In the bill, Section 1, page 2, line 17, insert the word "an" after the word "in" and before the word "amount".

4. In the bill, Section 1, page 2, lines 23 and 24, strike the words, figures and punctuation: "**in sections 45-131 to 45-157, C. S. Supp. 1941.**" and in lieu thereof, insert the following: "**for in sections 45-131 to 45-157, inclusive, C. S. Supp., 1941.**"

5. In the bill, Section 1, page 2, line 34, strike the word "**and**" before the word "**any**".

6. In the bill, Section 1, page 3, line 39, strike the word "**or**" and in lieu thereof, insert a comma (","), and in line 41, strike the word "**or**" before the words "**of any**".

7. In the bill, Section 1, page 3, line 57, strike the words "in to" and in lieu thereof, insert the following: "~~in to~~ **into**".

8. In the bill, Section 1, page 4, line 73, strike the words "or offered by" and in lieu thereof, insert the following: "~~or offered by~~ ,".

9. In the bill, Section 1, page 4, line 79, strike the word "debt", and in lieu thereof, insert the words "~~debt~~ **debts**".

10. In the bill, Section 1, page 4, line 80, after the word "by", at the end of said line, insert the word "**an**", and in line 81, strike the words "under act" and in lieu thereof, insert: "~~under act~~".

11. In the bill, Section 1, page 4, line 99, strike the word "contract" after the word "or" and before the word "of", and in lieu thereof, insert the following: "~~contract~~ **contracts**".

12. In the bill, Section 1, page 3, line 35, strike the comma (",") after the word "**contingency**", also in line 42, after the word "**Nebraska**", and in Section 1, page 4, strike the comma (",") and in lieu thereof, insert the comma (","), in lines 75 and 84, after the word "government", and in line 94, after the word "directors".

13. In the bill, title, page 1, line 1, and also in Section 1, page 2, line 1, and Section 2, page 5, line 2, insert a comma (",") before the figures "1941". Also insert a comma (",") in the following places: Section 1, page 2, line 16, after the word "estate" and also after the word "insured"; line 21, after the word "**association**"; Section 1, page 3, line 36, after the word "**funds**", line 43, after the word "funds" and also after the word "thereof", line 47, after the word "indebtedness", line 48, after the word "loan", line 49, after the word "and", line 52, after the word "debt", line 56, after the word "made", line 64, after the word "bank", line 65, after the word "government", line 66, after the word "mortgages", line 67, after the word "required"; page 4, line 85, after the word "accept", line 93, after the word "association", line 95, after the word "Banking" and also after the word "stock", line 96, after the word "shares" and after the word "purchase", line 97, after the word "value", line 99, after the word "which", and line 100, after the word "directors".

(Signed) James H. Anderson, Chairman

Introduction of Bills

Mr. President: Your Committee on Public Works begs leave to report that in its regular session on Wednesday, February 10, 1943, it was decided by unanimous vote to introduce a bill relating to Public Power Districts; which bill is submitted herewith for introduction by the Committee on Public Works.

(Signed) Mischke, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 6. Sympathy to Mr. Conklin

Introduced by Mueller of Buffalo, Neubauer of Harlan and Asimus of Holt

WHEREAS, Mrs. Lou A. Conklin, mother of J E Conklin, a member of this Legislature, died on Wednesday, February 10, 1943, at the age of ninety-three years,

BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature extends to J E Conklin and family its deepest sympathy by reason of the death of his mother.

2. That the clerk of this Legislature be instructed and directed to spread this resolution at large upon the Journal, and a copy, suitably engrossed, be furnished to J E Conklin.

Mr. Mueller moved that the rules be suspended and that Legislative Resolution 6 be considered at once.

The motion prevailed with 38 ayes, no nays, 5 not voting.

Mr. Mueller moved that the resolution be adopted.

The motion prevailed.

Mr. Mueller moved that a committee of three be appointed to convey condolence to the family of Senator Conklin and to send flowers for the funeral of his mother.

The motion prevailed and the President appointed the following members to serve on said committee:

Mueller	Neubauer	Asimus

Introduction of Bills

Unanimous consent was granted Mr. Mekota to introduce a bill regarding bonds of public officers who enter the military forces.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 408. Committee on Public Works,
by Mischke, Chairman.

A bill for an act to amend sections 70-705, 70-716, and 70-717, C. S. Supp., 1941, relating to public power and public irrigation districts; to provide for disqualification of member of board of directors; to provide procedure of annual audit; to provide for dissolution of district; to provide for change of name; and to repeal the original sections.

LEGISLATIVE BILL 409. By Mekota of Saline.

A bill for an act to amend section 32-1701, C. S. Supp., 1941, relating to vacancies in office; to provide that the incumbent of an office who is engaged in the military or naval service of the United States shall not be required to maintain and keep in force his official bond, and shall not be responsible for the acts and defalcations of the acting officer, who has been appointed and has qualified to take his place during the time the incumbent is in such military or naval service; and to repeal the original section.

MOTION—To Suspend Rules and Refer

Mr. President: I move that the rules be suspended and that L. B. 408 and L. B. 409 be referred to standing committees today.

(Signed) Mekota

The motion prevailed with 36 ayes, no nays, 7 not voting.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
408	Committee on Public Works By Mischke, Chairman	Public Works

409	Mekota	Government

BILLS ON THIRD READING

LEGISLATIVE BILL 25. Passed over.

LEGISLATIVE BILL 26. Passed over.

Visitor

Mr. Peterson introduced Mr. John Rogers of Oklahoma, who addressed the Legislature briefly.

GENERAL FILE

LEGISLATIVE BILL 180. Mr. Greenamyre moved to refer to E and R for review.

The motion prevailed.

LEGISLATIVE BILL 196. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 178. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-seventh Day, were adopted.

Referred to E and R for review.

MOTION—To Suspend Rules

Mr. Peterson moved that the rules be suspended and that those bills which do not carry amendments be considered on General File at once, notwithstanding the absence of statements in the books.

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 271. Read and considered.

Mr. Reavis offered the following amendment, which was adopted:

Amend by adding a new section as follows;

"Sec. 3. Since an emergency exists this act shall be in full force and take effect, from and after its passage and approval, according to law."

Amend title by adding after the word "section" in line 14, "and to declare an emergency".

Referred to E and R for review.

LEGISLATIVE BILL 89. Mr. Mekota moved to dispense with reading the original and read what appears as substitute bill.

The motion prevailed.

Bill as amended read and considered.

Standing Committee amendments, found in this day's Journal, were adopted.

Referred to E and R for review.

Appreciation

Mr. Klaver announced that Robert Morbach, one of the pages, had been called by the military and would be leaving soon for examination. The members expressed their appreciation of Robert's work and cooperation with them. Robert responded briefly.

Member Excused

Mr. Rakow was excused for the session on Friday.

Adjournment

At 12:05 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 12, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Conklin, Jeffords, Rakow and Thomas, who were excused.

The Journal for the Twenty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Lee, one favoring L. B. 338; Mr. Asimus, one, favoring retention of the precinct assessor, opposing the present law on delayed birth certificates, favoring L. B. 129 and opposing a state sales tax.

NOTICE OF COMMITTEE HEARINGS.

Revenue

L. B. 135, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 273, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 280, Thursday, March 11, 1943, 2:00 p.m.

L. B. 335, Thursday, March 11, 1943, 2:00 p.m.

Public Health & Miscellaneous Subjects

L. B. 191, Wednesday, February 24, 1943, 2:00 p.m.

Government

L. B. 98, Friday, February 19, 1943, 2:00 p.m.

L. B. 175, Friday, February 19, 1943, 2:00 p.m.

L. B. 242, Friday, February 19, 1943, 2:00 p.m.

Public Works

L. B. 194, Friday, February 19, 1943, 2:00 p.m.

L. B. 253, Hearing date changed from February 17, 1943 to February 24, 1943.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. 5
L. B. 20
L. B. 28
L. B. 33
L. B. 55
L. B. 67
L. B. 73
L. B. 86

Correctly enrolled

L. B. 7
L. B. 24
L. B. 37
L. B. 39
L. B. 42
L. B. 90

LEGISLATIVE BILL 125. Placed on Select File with amendments.

E and R amendments to L. B. 125:

1. In the bill, Section 1, page 3, line 52, strike the semicolon (";") and insert: ",;".

2. In the bill, Section 1, page 4, line 94, also page 5, line 115, insert a comma (",") after the word "centum", and in Section 1, page 5, line 126, after the word "milk", in Section 2, page 5, line 8, after the word "milk" and also after the word "package", and in Section 1, page 4, line 99, strike the comma (",") after the word "wholesome" and insert, in lieu thereof; ",".

3. In the bill, Section 2, page 5, line 6, strike the words "one half" and in lieu thereof, insert: "one-half **one half**", (to show the hyphen

omitted, as now in the original section). Also, in the bill, strike "one-half" and in lieu thereof, insert: "~~one-half~~ (hyphenated) **one half**" in the following places: Section 1, page 2, lines 15 and 32; page 3, lines 53 and 54; page 4, lines 69 and 91; and page 5, lines 111 and 112.

LEGISLATIVE BILL 74. Placed on Select File with amendments.

E and R amendments to L. B. 74:

1. In the first legislature amendment of Mr. Asimus, after the word "bill", and before the period ("."), insert the following:

> "except in said line 55 of said subsection 2 of the original bill, page 3, strike out "(2)" and in lieu thereof insert: "(3)".

2. Strike out the 2nd and 3rd legislature amendments by Mr. Asimus and also the legislature amendment by Mr. Lee.

3. In the Standing Committee amendment, strike out "**, when mechanically possible**" in the 54th and 55th lines on the second page thereof, and strike out all of subdivision or subsection (2) thereof, and in lieu of said subdivision (2) and just before the subsection restored by the 1st legislature amendment by Mr. Asimus, insert the following:

> **(2) The Game, Forestation and Parks Commission shall have supervision over the enforcement of this act and shall investigate all complaints made hereunder."**

4. In the bill, title, page 1, 5th line, after the word and punctuation "life;", insert the following:

> "providing for the supervision of the enforcement of this act and investigation of all complaints made hereunder by the Game, Forestation and Parks Commission;" .

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 7
Legislative Bill 24
Legislative Bill 37
Legislative Bill 39
Legislative Bill 42
Legislative Bill 90

SELECT FILE

LEGISLATIVE BILL 32. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 113. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 133. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 186. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 84. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 61. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 57. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 45. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 58. E and R amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

February 9, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed Legislative Bill No. 4.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

Approved by the Governor

February 11, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following Bills, viz:

L. B. 29
L. B. 34

L. B. 23
L. B. 12

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

BILLS ON THIRD READING

LEGISLATIVE BILL 25. Mr. Sorrell requested unanimous consent to re-refer the bill to Select File for amendment.

No objection was offered. So ordered.

Replaced on Select File.

LEGISLATIVE BILL 26. Passed over.

GENERAL FILE.

LEGISLATIVE BILL 252. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend Section 4, line 9 by striking the word "other".

Referred to E and R for review.

LEGISLATIVE BILL 209. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Add a new section as follows:

"Sec. 13. Nothing in this act or the proceedings thereunder shall raise any presumption of death."

Referred to E and R for review.

LINCOLN MEMORIAL PROGRAM

The Reverend Chambers presiding

At 10:30 a. m. the following program was rendered.

LEGISLATIVE RESOLUTION 7. Abraham Lincoln.

Introduced by Fred A. Mueller of Buffalo.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA, IN FIFTY-SIXTH SESSION ASSEMBLED:

This is the one hundred thirty-fourth anniversary of the birth of Abraham Lincoln. To him belongs the credit of having worked his way up from the humblest position an American freeman can occupy to the highest and most powerful, without losing, in the least, the simplicity and sincerity of nature. A man of great ability, pure patriotism, unselfish nature, full of forgiveness to his enemies, bearing malice toward none, he proved to be a man above others. He was a statesman of the school of sound common sense, and a philanthropist type and a patriot without a superior.

By this resolution, we, the members, dedicate ourselves to the service of the people of the State of Nebraska, in carrying out the standards set by such a sterling character.

ADDRESS: The Two Emancipators

By S. Edward Gilbert
Omaha, Nebraska.

One minute silent prayer.

Upon motion by Mr. Foster, the Legislature extended a rising vote of thanks to the speaker.

President Johnson Presiding

Mr. Mueller moved that the rules be suspended and that Resolution 7 be adopted.

The motion prevailed with 35 ayes, no nays, 8 not voting.

MOTION—Visit to Air Base

Mr. President: I move that you appoint a committee of three to arrange, through Adjutant General Henninger, to have the Legislature visit the Air Base in a body, at a time that is convenient to both the Legislature and Colonel Duncan.

(Signed) Foster.

The motion prevailed and the President appointed the following members to serve on said committee:

Foster Mueller Crosby

GENERAL FILE (Continued)

LEGISLATIVE BILL 75. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 149. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 163. Read and considered.

Standing Committee amendments 1, 3, 4 and 5, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Standing Committee amendment 2 was not adopted.

Mr. Peterson offered the following amendments, which were adopted:

Amend Section 1 by striking all in line 16 after the word "year", all of line 17 and the first two words in line 18.

Referred to E and R for review.

LEGISLATIVE BILL 170. Read and considered.

Laid over. Retains place on File.

Adjournment

At 12:05 p. m. on motion by Mr. Heiliger the Legislature adjourned until 10:00 a. m. Monday, February 15, 1943.

Hugo F. Srb
Clerk of the Legislature.

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 15, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carmody, Gantz, Lee and Rakow, who were excused.

The Journal for the Twenty-ninth Day was approved.

PETITIONS AND MEMORIALS

A petition, signed by residents of Grand Island and neighboring towns and territory, was read, opposing a change in the present liquor laws regarding the granting of licenses to sell beer.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 340, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 381, Tuesday, February 23, 1943, 2:00 p.m.

L. B. 406, Tuesday, February 23, 1943, 2:00 p.m.

LABOR AND PUBLIC WELFARE

L. B. 219, Monday, March 1, 1943, 2:00 p.m.

L. B. 230, Monday, March 1, 1943, 2:00 p.m.

(These bills originally set for March 15th)

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 69. Placed on General File.

LEGISLATIVE BILL 70. Placed on General File.

(Signed) Doyle, Chairman

Judiciary

LEGISLATIVE BILL 46. Placed on General File with amendments.

Standing Committee amendments to L. B. 46:

1. Amend page 2 of the bill, Section 1, line 17, by striking the word "real".

2. Amend page 2 of the bill, Section 1, line 17, by striking the word "or" and inserting in lieu thereof the words "**including any**".

3. Amend page 2 of the bill, Section 1, line 17, by striking the word "and" and inserting in lieu thereof the word "**or**".

4. Amend page 2 of the bill, Section 1, lines 20 to 34, inclusive, by striking all of the new matter contained in lines 20 to 34, inclusive.

5. Amend page 3, Section 1, lines 39 and 40, of the bill by striking the words "**including devisees, legatees and creditors,**".

6. Amend page 3, Section 1, line 40, by striking the word "**for**".

7. Amend page 4, Section 2, line 36, of the bill by adding after the word "**thereof**" the following: "**and make return to the court.**"

8. Amend page 4, Section 2, of the bill by striking lines 37 and 38.

9. Amend page 4 of the bill, Section 3, lines 7 and 8, by reinstating the stricken matter, striking the new matter in line 8 and adding the following: "**the court shall appoint an administrator or executor and administration shall proceed in the regular manner.**"

10. Amend page 4 of the bill, Section 3, lines 9 to 13, inclusive, by striking therefrom the new matter and showing the old matter as being stricken.

11. Amend the bill by striking all of Section 4, page 4, and renumbering the remaining sections accordingly.

LEGISLATIVE BILL 59. Placed on General File with amendments.

Standing Committee amendments to L. B. 59:

1. Amend the title of the bill, line 10, by inserting after the word "none" the following: ", or if such minor or incompetent is a nonresident of the State of Nebraska".

2. Amend the title of the bill, line 11, by striking the word "clerk" and inserting in lieu thereof the word "judge".

3. Amend page 2, Section 1, line 9 of the bill by inserting after the word "thereof" in said line the words "**in stock of a building and loan association or**".

4. Amend pages 2 and 3 of the bill by striking lines 20 to 59, Section 1 and inserting the following in lieu thereof:

> **(2) When the amount due any minor or incompetent under any proceedings in any court of record in this state shall be less than one hundred dollars, the natural guardian or the person who stands in loco parentis to the minor or incompetent may accept and receipt for such amounts, or, if there be no such person, the county judge in the county of the residence of such minor or incompetent, or if such minor or incompetent is a nonresident of the State of Nebraska, the county judge of the county where the funds remain, shall accept and receipt for such amounts. The amount thus received shall be invested as provided in subdivision (1) of this act. When the county judge accepts any money upon behalf of any minor or incompetent he shall set forth such fact upon the guardianship docket of the county court of his county, and upon expiration of his term, if the minority or disability still remains, shall assign and deliver the instrument of investment and such money to his successor in office. There shall be no costs assessed by the county court in proceedings under this act.**
>
> ~~Subdivision (2)~~ (3) If the personal estate of any minor or incompetent under guardianship is of less value than one hundred dollars, and if the ward is not

the owner of real estate, the court may order that the assets of the ward shall be invested in the manner provided in subdivision ~~(1)~~ **(2)** of this section, and the guardian may thereupon be discharged.

~~Subdivision (3)~~ (4) Where a surviving parent has, by last will, appointed a guardian for any of his children, whether born at the time of making the will or afterwards, to continue during the minority of the child, or for a less time, every such testamentary guardian shall, upon admission of said will to probate and without further proceedings have the same powers and duties with respect to the estate of the ward, subject to the provisions of the will, as the natural guardian or the person who stands in loco parentis to the minor has under the provisions of subdivision (1) of this section.

~~Subdivision (4)~~ **(5)** The county court may, in its discretion, from time to time permit **or authorize** the expenditure ~~by the person with whom said court exercises joint control over the investments of wards, as provided in subdivision (1), (2), and (3) of this section,~~ **of the funds of the ward** for the expenses of the education and maintenance of wards.

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL 152. Placed on General File with amendments.

Standing Committee amendments to L. B. 152:

1. Amend title of the bill, line 8, by inserting after the semicolon following the word "made" and before the word "providing", the following: "providing for notice and method of service; providing that no sidewalk longer than one hundred and fifty feet shall be so constructed in any one year;".

2. Amend page 2 of the bill, section 1, line 9, by inserting after the word "village" and before the word "prior", the words **"and causing a written notice to be served upon the occupant in possession of the property involved or by posting such written notice upon such premises ten days".**

3. Amend page 2 of the bill, section 1, line 10, by inserting after period following the word "repair" the following: **"Provided, that no sidewalk longer than one hundred and fifty feet shall be so constructed in any one year."**

LEGISLATIVE BILL 259. Placed on General File.

LEGISLATIVE BILL 222. Indefinitely postponed.

LEGISLATIVE BILL 171. Placed on General File.

LEGISLATIVE BILL 77. Indefinitely postponed.

LEGISLATIVE BILL 254. Indefinitely postponed.

(Signed) Mischke, Chairman

Enrollment and Review

Correctly engrossed

L. B. 99	L. B. 83
L. B. 85	L. B. 30

Presented to the Governor for Approval
Friday, February 12, 1943, at 3:00 p.m.

L. B. 7	L. B. 90
L. B. 24	L. B. 39
L. B. 37	L. B. 42

(Signed) James H. Anderson, Chairman

Approved by the Governor

February 13, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. 7
L. B. 24
L. B. 37
L. B. 39
L. B. 42
L. B. 90

Respectfully submitted,
(Signed) Robt. M. Armstrong,
Secretary to the Governor.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 26. With emergency clause.

A bill for an act to amend section 8-150, C. S. Supp., 1941, relating to loans by banks; providing that loans guaranteed by any Federal Reserve Bank or the United States government, or any agency thereof, shall not be considered in applying the limitation of the amount that a bank may loan to any single corporation, firm or individual; to declare an emergency; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Foster
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Carmody
Dooley
Doyle
Gantz
Greenamyre
Lee
Matzke
Peterson
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present, I would have voted "aye" on L. B. 26.

(Signed) Doyle

SELECT FILE

LEGISLATIVE BILL 125. E and R amendments, found in the Legislative Journal for the Twenty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 74. E and R amendments, found in the Legislative Journal for the Twenty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 25. Mr. Sorrell offered the following amendment, which was adopted by unanimous consent:

1. Amend title of bill, lines 7 and 8, by striking after the word "or" in line 7 the words: "any other governmental agency" and inserting in lieu thereof, the following words: "any lawful service organization empowered to represent veterans"

2. Amend title of bill, line 11, by inserting after the word "family" and before the semicolon the following words: "in connection with a claim growing out of service in the armed forces of the nation"

3. Amend page 2 of the bill, section 1, line 16, by striking the words "any other governmental agency" and inserting in lieu thereof, the following: "any lawful service organization empowered to represent veterans"

4. Amend page 2 of the bill, section 1, line 19, by striking the period after the word "family" and inserting in lieu thereof, the follow-

ing punctuation and words: **", in connection with a claim growing out of service in the armed forces of the nation."**

Laid over. Retains place on File.

GENERAL FILE

LEGISLATIVE BILL 170. Passed over. Retains place on File.

Mr. Osborne presiding

LEGISLATIVE BILL 187. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Twenty-eighth Day, were adopted.

Laid over. Retains place on File.

LEGISLATIVE BILL 158. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 130. Laid over. Retains place on File.

Speaker Crosby presiding

LEGISLATIVE BILL 179. Read and considered.

Mr. Mischke moved to refer to E and R for review.

Mr. Osborne moved to indefinitely postpone.

The motion was lost with 3 ayes, 25 nays, 15 not voting.

Mr. Mischke's motion prevailed.

Referred to E and R for review.

Adjournment

At 12:10 p.m. on motion by Mr. Gutoski the Legislature adjourned until 10:00 a.m. Tuesday, February 16, 1943.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 16, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Neubauer, who was excused.

The Journal for the Thirtieth Day was approved.

Invitation

A letter was read from the Omaha Police Shield Club extending an invitation to the members of the Legislature to attend their benefit ball, to be held at the city auditorium on Monday evening, March 8, 1943.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 282,	Monday, March 8, 1943, 2:00 p.m.
L. B. 285,	Monday, March 8, 1943, 2:00 p.m.
L. B. 360,	Monday, March 8, 1943, 2:00 p.m.
L. B. 361,	Monday, March 8, 1943, 2:00 p.m.

Education

L. B. 266,	March 1, 1943, 2:00 p.m.
L. B. 267,	March 1, 1943, 2:00 p.m.
L. B. 270,	March 1, 1943, 2:00 p.m.
L. B. 336,	March 1, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 82. Placed on General File with amendments.

Standing Committee amendments to L. B. 82:

1. Amend the title by inserting a comma after the figures 20-1601 and then adding the following: "20-1608, 20-1636,".

2. Amend the title, line 4, by inserting after the semicolon following the word "men" the following: "to require that, before women may serve as jurors in district court in any county, the presiding district judge shall be required to certify that the accommodations and facilities of the courthouse of such county are such as to permit the service of women as jurors; to provide that jury service shall be optional with women, who may notify in writing the officer who may summon her to jury duty if she desire not to serve;"

3. Amend page 3 of the bill by adding immediately after section 1, line 37, two new sections reading as follows:

"Sec. 2. That section 20-1608, C. S. Supp., 1941, be amended to read as follows:

20-1608. Whenever the proper officers fail to summon a grand jury or petit jury, or when all the persons summoned as grand or petit jurors do not appear before the district courts, or whenever at any general or special term, or at any period of a term for any cause there is no panel of grand jurors or petit jurors, or the panel is not complete, said court may order the sheriff, deputy sheriff, or coroner to summon without delay, good and lawful men **persons,** having the qualifications of jurors, or the court may at its discretion, order the clerk of the district court or his deputy, and the sheriff or his deputy, or if there be no sheriff or deputy sheriff, the coroner of the county to proceed at once to draw by lot, from the remaining list of names selected and submitted by the county board,. for the original panels, such additional number as the court may direct, and such persons so drawn by lot shall be at once summoned as above provided, or as the court may direct, and this shall also apply to the selection of talesmen for particular causes after the regular panel is exhausted and each person summoned shall forthwith appear before the court, and if competent, shall serve on the grand jury or petit jury, as the case may be, unless such person may be excused from serving or lawfully challenged.

Sec. 3. That section 20-1636, C. S. Supp., 1941, be amended to read as follows:

20-1636. All ~~male~~ citizens of the United States residing in any of the counties of this state, having the qualifications of electors, over the age of twenty-five years and under the age of sixty-five years, free from all legal exceptions, intelligent, of fair character, of approved integrity, well informed, able to read, write and understand the English language, of sound mind and discretion and not being judges of any court, clerks of the supreme or district courts, sheriffs, or jailers, or subject to any bodily infirmity amounting to a disability, and who have not been convicted of a criminal offense punishable by imprisonment in the penitentiary, and are not subject to liability for the ~~commissoin~~ **commission** of any offense which by special provisions of law does or shall disqualify them, are and shall be competent persons to serve on all grand and petit juries, within their counties respectively. Any person belonging to any of the following classes shall be exempt from serving on grand or petit juries: (a) Judges of any court~~.~~; (b) Sheriffs, coroners, jailers~~.~~; (c) Persons subject to any bodily infirmity amounting to a disability~~.~~; (d) Persons who have been convicted of a criminal offense punishable by imprisonment in the penitentiary~~.~~; (e) Persons who by special provisions of law are disqualified from acting as jurors~~.~~; (f) Persons under twenty-five years of age or over sixty-five years of age, ministers of the gospel, probate judges, county commissioners, licensed practicing attorneys, practicing physicians, druggists, practicing dentists, postmasters, carriers of the United States mail, licensed embalmers, members of the state militia, members of any fire department or company~~.~~; (g) Persons who have served in any court of record within one year previous to the time his name was drawn as juror by the jury commissioner as aforesaid~~.~~; (h) Persons who are parties to a suit pending in the district court for trial at that term~~.~~; and (i) Clerks of courts. It shall be ground for challenge for cause that any proposed juror lacks any of the qualifications provided by law, or belongs to any one of the classes exempt by law from jury service~~:~~; Provided, that it shall not be a cause of challenge that a juror has read in the newspapers an account of the commission of a crime with which a prisoner is charged, if such juror shall state on oath that he believes he can render an impartial verdict according to the law and the evidence; and the court shall be satisfied as to the truth of such statement; and provided further, that in the trial of any criminal cause the fact that a person called as a juror has formed an opinion based upon rumor or newspaper statements and as to the truth of which he has formed no opinion, shall not disqualify him to serve as a juror on such cause, if he shall upon oath state that he believes he can fully and impartially render a verdict in accordance with the law and the evidence, and the court shall be satisfied as to the truth of such statement."

4. Amend page 3 of the bill, present section 2, line 1, by inserting as the section number in lieu of the figure "2" the figure "4".

5. Amend page 3 of the bill, present section 3, line 1, by inserting as the section number in lieu of the figure "3" the figure "5".

6. Amend page 4 of the bill by adding immediately after line 32, two new sections, reading as follows:

"Sec. 6. **Before any woman may be called to serve as a juror in district court, the presiding district judge shall be required to determine that the accommodations and facilities of the courthouse in any county are such as to permit the service of women as jurors. Whenever such determination is made, the presiding district judge shall certify such fact to the county board of the county where the county has a population of less than one hundred fifty thousand inhabitants, or to the jury commissioner where the county has a population of one hundred fifty thousand inhabitants or more, and the names of women shall thereafter be included and used in making up all jury lists for such county in the same manner as men.**

Sec. 7. **Any woman, who is unable or unwilling to serve as a juror, shall be excused from such service upon the filing over her signature, with the officer who summons her to jury duty, of a declination to serve. A form for declination of services shall accompany such summons. Such declination must be filed (1) at least three days before the jury is notified to report for duty when more than five days intervene between the time the notice is given and the time the jury is to report for duty; and (2) in all other cases, at the time the jury is notified to report for duty."**

8. Amend page 4 of the bill, present section 4, line 1, by inserting as the section number in lieu of the figure "4" the figure "8".

9. Amend page 5 of the bill, present section 5, line 1, by inserting as the section number in lieu of the figure "5" the figure "9".

LEGISLATIVE BILL 162. Placed on General File.

LEGISLATIVE BILL 165. Placed on General File.

LEGISLATIVE BILL 140. Placed on General File with amendment.

Standing Committee amendment to L. B. 140:

1. Amend the bill, section 1, line 9, by striking the word "and".

(Signed) Gantz, Chairman.

Education

LEGISLATIVE BILL 122. Indefinitely postponed.

LEGISLATIVE BILL 213. Placed on General File with amendments.

Standing Committee amendments to L. B. 213:

(1) Amend section 1, page 2, line 10, by striking the word "acquired", and inserting in lieu thereof the word "leased".

(2) Amend the title, line 6, by striking the word "acquired" and inserting in lieu thereof the word "leased".

LEGISLATIVE BILL 211. Placed on General File.

(Signed) Matzke, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 102. Placed on General File with amendments.

Standing Committee amendments to L. B. 102:

1. In the 4th line of the title after the word "Nebraska" and before the punctuation "semicolon" insert "except cities of the metropolitan class".

2. Amend the bill, Section 1, lines 14 and 15, by striking out the words "common council".

3. Amend the bill, Section 1, lines 37 and 38, by striking out the words "court of original and unlimited jurisdiction in civil suits" and insert in lieu thereof "district court of the county in which such commission is located".

4. Amend Section 2 of the act, by inserting in line 4, after the word "members" and punctuation "comma" the following: "except cities of the metropolitan class".

5. Amend the bill, Section 4, line 77, by striking out the word "circuit" therein and inserting in lieu thereof the word "district". In lines 73, 74, and 75, amend the same by striking out the words "court of original and unlimited jurisdiction of civil suits in the United States" and insert in lieu thereof the following: "courts of this state".

6. Amend the bill, Section 8, line 19, by striking out the word "or" after the word "faith" and inserting in lieu thereof the word "for".

7. Amend the bill, Section 8, by striking out line 46 thereof and inserting in lieu thereof the following: "district court", and by striking out line 56 thereof and inserting in lieu thereof the following: "district court".

8. Amend the bill, Section 11, line 4, by striking out the words "chief, punctuation comma, common"

9. Amend the bill by striking out Section 21 and inserting in lieu thereof, the following: "Sec. 21. It shall be the duty of each city, town, or municipality coming within the provisions of this act to appropriate each fiscal year, from the general funds of such city, town or municipality, a sum of money sufficient to pay the necessary expenses involved in carrying out the purposes of this act."

10. Amend the bill, Section 23, line 8, by striking out the words "common council,".

11. Amend the bill, Section 22, by striking out all of said section which is set forth after the word "imprisonment" in line 7.

12. Amend the bill, Section 23, line 19, by striking the punctuation period after the word "members" and inserting in lieu thereof the punctuation "comma" and adding the following words "except cities of the metropolitan class" and punctuation period.

13. Amend the bill, Section 1, by inserting in line three after the word "members" and after the punctuation comma, the following: "except cities of the metropolitan class,".

LEGISLATIVE BILL 114. Indefinitely postponed.

(Signed) Craven, Chairman

Appropriations

LEGISLATIVE BILL 106. Placed on General File with amendments.

Standing Committee amendments to L. B. 106:

Page 2, Section 1, Line 9, after the word "Inspection" strike the words **"thirty-six hundred"**, and insert in lieu thereof the words **"four thousand"**.

LEGISLATIVE BILL 141. Placed on General File.

LEGISLATIVE BILL 389. Placed on General File with amendments.

Standing Committee amendments to L. B. 389:

Page 2, Sec. 1, line 7, before the word "**thirty-six**" insert the words "**not to exceed**"; and in lines 7 and 8, strike the words "**twenty-six hundred and forty dollars; and**"

LEGISLATIVE BILL 221. Placed on General File with amendments.

Standing Committee amendments to L. B. 221:

1. Amend the title by striking all the remainder thereof after the word "act" in line 1, and substituting the following in lieu thereof:

"relating to purchases by the State of Nebraska, and all officers, departments, bureaus, boards, commissions, councils and institutions thereof receiving Legislative appropriations; to define terms; to establish the office of Purchasing Agent; to provide for his appointment, qualification, tenure of office and salary; to prescribe his powers and duties; to establish a Standards and Specifications Committee; to prescribe its powers and duties; to provide for the purchase of all materials, supplies, furniture, equipments, printing, stationery, automobile and road equipment, and all other chattels, goods, wares and merchandise whatever, through the Purchasing Agent; to provide exceptions; to provide the manner of administration and carrying out of purchases by the state and agencies thereof; and to repeal sections 84-101 to 84-107, inclusive, Compiled Statutes of Nebraska, 1929.

Be it enacted by the people of the State of Nebraska,"

2. Amend pages 2, 3, and 4, by striking all of sections 1, 2, 3, 4, and 5, and substituting the following in lieu thereof:

Section 1. As used in this act:

(1) "Purchasing Agent" means the head of the division of the state government charged with the administration of this act, which division shall be a part of and subject to the supervision of the office of Tax Commissioner;

(2) "Articles" mean and include all materials, supplies, furniture, equipment, printing, stationery, automotive and road equipment, and all other chattels, goods, wares and merchandise whatsoever;

(3) "Using Agencies" mean and include all officers of the state, departments, bureaus, boards, commissions, councils and institutions receiving Legislative appropriations.

Sec. 2. This act shall not apply:

(1) To the erection, construction or original equipment of any building or addition thereto, or to the construction of any road or bridge, or to the performance of any like work;

(2) To purchases by the University of Nebraska, the state normal schools, or any institutions under the jurisdiction of the Board of Control, except that it shall be the duty of such university, schools and institutions to purchase articles through the Purchasing Agent whenever it is feasible and practical to do so;

(3) To the purchase or use of the products of the labor of the inmates of any charitable, reformatory or penal institution of the state.

Sec. 3. The Purchasing Agent shall be appointed by the Governor, by and with the advice and consent of the Legislature, to serve until the first Thursday after the first Tuesday in January succeeding the second election for Governor thereafter occurring, and until his successor shall have been appointed and qualified, unless sooner removed by the Governor for cause. In case of vacancy in office arising from death, resignation or otherwise, the Governor may fill the vacancy by temporary appointment until the next regular session of the Legislature, when the vacancy for the unexpired term shall be filled in the manner above provided.

Sec. 4. The Purchasing Agent shall receive a salary of three thousand six hundred dollars per annum, payable in equal monthly installments.

Sec. 5. The Purchasing Agent shall have had at least two years' practical experience, in the ten years immediately preceding his appointment, as an executive in a regularly organized purchasing department of some branch of government, either municipal, state or federal, or of some private business firm or corporation. He shall not have been connected, during the period of two years immediately prior to his appointment, with any person, partnership, firm, association, corporation, or other vendor, agent or intermediary, from or through whom any purchases, or contracts for purchases, shall be made by him during his incumbency in office.

Sec. 6. Before entering upon the discharge of his duties, the Purchasing Agent shall take and subscribe an oath, to be filed in the office of the Secretary of State, to the effect:

(1) That he will support the Constitution of the United States and the Constitution of the State of Nebraska;

(2) That he will faithfully and impartially discharge the duties of his office; and

(3) That he is not then, and will not be at any time during his term of office, connected, interested, or otherwise concerned, directly or indirectly, with any person, partnership, firm, association, corporation, or other vendor, agent or intermediary, from or through whom any purchases, or contracts for purchase, shall be made by him during his incumbency in office.

Sec. 7. Before entering upon the discharge of his duties, the Purchasing Agent shall give good and sufficient bond in the sum of ten thousand dollars, with corporate surety authorized to transact business in this state, and conditioned for the faithful performance of his duties and for his compliance with all of the provisions of this act. Such bond shall be approved by the Governor. Neither expiration of term of office nor removal therefrom shall operate as a discharge of the bond, but it shall remain in full force and effect as provided by law. The premium on the bond shall be paid by the state.

Sec. 8. The Purchasing Agent shall appoint such clerical, technical and other assistance as may be necessary to properly administer this act, and fix their compensation and prescribe their duties in connection therewith, subject to existing laws and appropriations made therefor.

Sec. 9. The Purchasing Agent shall have the duty and exclusive authority to purchase all articles used or needed by the state and its using agencies, except the University of Nebraska, the state normal schools and institutions under the jurisdiction of the Board of Control. All purchases, and contracts to purchase, shall be made in the name of the state. The Purchasing Agent shall make an annual detailed report to the Governor of his operations, and shall render such other reports to the Governor as the latter shall request from time to time. The proceedings of the Purchasing Agent shall be open to the citizens of the state, and all records, contracts, orders and schedules shall be open to inspection of any citizen or interested person at all reasonable hours. The Purchasing Agent, in the performance of his duties, shall be subject to the provisions of all laws of this state applicable to the expenditure of public money, not inconsistent with this act.

Sec. 10. The Purchasing Agent, the State Engineer or his nominee, and the Tax Commissioner, shall constitute the Standards and Specifications Committee, which is created to act as a policy making body for the administration of this act.

Sec. 11. The Standards and Specifications Committee shall:

(1) Determine, establish, and, from time to time, change standards and specifications according to the needs of all using agencies so far as their needs are in common, and for groups of using agencies or for single using agencies so far as their needs differ;

(2) Fix physical or chemical formulae and otherwise determine the service, quality, fitness and suitability of all articles tendered or furnished;

(3) Make use for such purposes of the existing laboratories maintained by the state;

(4) Establish a list of other public or private laboratories whose tests and analysis will be accepted;

(5) Fix the fees required to be paid for tests or analyses made in any state laboratory; and

(6) Make rules and regulations, not inconsistent with this act, to carry into effect the provisions thereof.

Sec. 12. The fee required by any state or other laboratory for any analysis or test made by any prospective vendor prior to the award of a contract shall be paid by such prospective vendor. Inspection analyses or tests shall be paid by such prospective vendor.

Sec. 13. Each using agency shall be afforded hearings from time to time, under the rules and regulations prescribed by the Standards and Specifications Committee, to assist in formulating suitable standards and specifications so far as possible. The using agencies, or any of them, however, may veto any standard or specification covering any article required by it to the end that the actual needs of the several using agencies shall be determined by each of them. If any using agency shall veto any standard or specification as determined by the committee, the using agency shall forthwith formulate and submit to the Governor, a written statement of the reason for the veto, and such written standard or specification as the using agency shall adjudge proper for its need, and, upon the approval by the Governor, the same shall be deemed to be the standard or specification for such article so far as the using agency is concerned, but all articles are to be purchased, nevertheless, in accordance with the requirements of this act.

Sec. 14. In the purchase of all articles, the standards and specifications, determined and established as provided in this act, shall be adhered to and complied with, and no deviation shall be made or permitted without first obtaining the written consent of the Governor in each instance. Any using agency may reject any article delivered or tendered, which fails to comply with the standards and specifications applicable to such article and such using agency.

Sec. 15. Each using agency shall, at the time, in the form and for the periods prescribed by the Purchasing Agent, present to him detailed requisition for all articles to be purchased. The Purchasing Agent shall thereupon present the requisition to the Tax Commission to check the amount of money estimated to be necessary to defray the cost thereof against the appropriation for the using agency, indicating the appropriation or authorization to spend funds against which the proposed purchase will be charged. Such requisition shall be approved by the Tax Commissioner unless it shall appear that the free balance of any appropriation or authorization to spend is not sufficient to cover the charge proposed against it, in which event the requisition shall be rejected as to charges only, and approved as to all others. The Purchasing Agent shall then arrange such schedules or parts thereof as are included in or covered by the approved requisition, for purchase and contract, and for advertising them, in the manner best calculated to attract competition and advantageous price. He shall prescribe the terms and conditions for delivery, inspection, payment and all other details thereof.

Sec. 16. The Purchasing Agent may, by written order, permit purchases to be made by any using agent directly with the vendor, whenever it shall appear to his satisfaction, because of the nature of the article, the price in connection therewith, the quantity to be purchased, the location of the using agency, the time of the use of the article, or any other circumstance, that the interests of the state will be served better by purchasing direct than through the office of the Purchasing Agent. Such permission shall be revocable, shall be issued for a fixed amount only not in excess of one thousand dollars, shall describe the articles to be purchased, and shall be operative for a period not exceeding six months from the date of issue. At the expiration of such time, the authority shall lapse, and an additional direct purchase order shall be requisite for any such purchase. Using agencies receiving such permission shall report in writing each month to the Purchasing Agent their acts and expenditures under such orders with proper evidence that competition has been secured.

Sec. 17. The Purchasing Agent shall award contracts or orders for purchase to the lowest responsible bidder submitting a proposal for the same.

Sec. 18. Contracts for purchases may be made in any of the following forms:

(1) For the furnishing of specific articles at specific prices;

(2) For the furnishing of articles according to the specifications at a fixed rate for a minimum quantity, subject to furnishing of a greater quantity at the same or a lesser rate; or

(3) For the furnishing of articles according to the specifications without a stated minimum at a rate stated, commonly known as a "price agreement."

The form of the contract to be used in any case shall be subject to the discretion of the Purchasing Agent.

Sec. 19. No articles shall be contracted for or purchased by the state or any using agency except in accordance with the provisions of this act.

Sec. 20. That sections 81-401 to 81-407, Compiled Statutes of Nebraska, 1929, are repealed.

LEGISLATIVE BILL 177. Placed on General File.

(Signed) Greenamyre, Chairman

SELECT FILE

LEGISLATIVE BILL 25. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 170. Mr. Crossland offered the following amendments, which were adopted:

1. Amend the title, line 1, by striking the figures "17-549," and inserting in lieu thereof the figures "17-156".

2. Amend the title, line 7, by adding after the semi-colon the following:

"to extend to villages the power to make levy of tax for sewer maintenance;".

3. Amend page 2 of the bill, section 1, line 14, by striking the word "The" and inserting in lieu thereof:

"In lieu of the levy of a tax, the"

4. Amend page 2 of the bill, section 1, line 15, by striking the word "also".

5. Amend page 2 of the bill, section 1, line 22, by adding after the period the following:

"The charges thus made, when collected, shall be placed in a separate fund, and used exclusively for the purpose of maintenance and repairs of any sewers in such city."

6. Amend page 2 of the bill, section 2, by striking the entire section and inserting the following in lieu thereof:

"That section 17-156, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

17-156. The mayor and council **of any city of the second class, or the board of trustees of any village,** are hereby authorized, after the establishment of a system of sewerage, as above provided and at the time of levying other taxes for city **or village** purposes, to levy a tax of not more than four-tenths of one mill on each dollar of valuation on all the taxable property subject to taxation in such city for the purpose of creating a fund for the maintenance and repairing of any sewers in such city, such fund to be used exclusively for such purpose. **In lieu of the levy of such tax, the mayor and city council of any such city, or the board of trustees of any village, may establish, by ordinance, such rates as may be deemed by them fair and reasonable, to be charged to each property served by the sewerage system, which charges shall be a lien upon the property served and may be collected from either the owner or the person, firm or corporation requesting the service, at such times, either monthly, quarterly, or otherwise as may be specified in the ordinance. The charges thus made, when collected, shall be placed in a separate fund, and used exclusively for the purpose of maintenance and repairs of any sewers in such city or village.**

7. Amend page 3 of the bill, section 3, line 1, by striking the figures "17-549," and inserting the figures "17-156" in lieu thereof.

Referred to E and R for review.

LEGISLATIVE BILL 187. Mr. Gutoski offered the following amendments, which were adopted:

Amend the standing committee amendment to L. B. 187, line 4, by striking the words "such cities" and inserting in lieu thereof the following: "cities of the first class, or cities of the second class may".

Amend the standing committee amendment, line 5, by striking the word "may" and insert a (comma) "," after the word "electors".

Amend the standing committee amendment, line 7, by inserting after the word "city" the following: "of the first class, or city of the second class".

Referred to E and R for review.

Visitor

Mr. Peterson introduced Dr. Gosta Franzen, a member of the faculty of Upsala University of Sweden, who addressed the Legislature.

GENERAL FILE (Continued)

LEGISLATIVE BILL 130. Laid over. Retains place on file.

Mr. Sorrell presiding

LEGISLATIVE BILL 69. Read and considered.

Mr. Raecke offered the following amendment, which was adopted:

Amend Section 2, line 14, by inserting the word "and" after the word "depositories".

Laid over. Retains place on File.

LEGISLATIVE BILL 70. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 46. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirtieth Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted:

That the title to L. B. 46 be amended by the Committee on Enrollment and Review to conform to the bill as amended.

Referred to E and R for review.

LEGISLATIVE BILL 59. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirtieth Day, were adopted.

Mr. Mekota offered the following amendments, which were adopted:

In Section 1, line 4, of the original bill, strike the words "less value than one hundred dollars", and insert in lieu thereof the words "the value of one hundred dollars or less".

In line 22 of the committee amendment No. 4, strike the words "less than one hundred dollars", and insert in lieu thereof the words "of the value of one hundred dollars or less".

In lines 40 and 41 of the committee amendment No. 4, strike the words "less value than one hundred dollars", and insert in lieu thereof the words "the value of one hundred dollars or less".

Amend the title in line 3 by striking the words "less value than one hundred dollars", and insert in lieu thereof the words "the value of one hundred dollars or less".

Referred to E and R for review.

LEGISLATIVE BILL 152. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirtieth Day, were adopted.

Laid over. Retains place on File.

LEGISLATIVE BILL 259. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 171. Read and considered.

Laid over. Retains place on File.

Opinion of Attorney General—L. B. 45

A letter was read from Walter R. Johnson, Attorney General, advising that, in his opinion, the exemption proposed in L. B. 45 would not be in violation of Sections 1 and 2 of Article VIII of the Constitution of Nebraska.

MOTION—Program Washington's Birthday

Mr. President: I move that we set 11:00 a.m. February 22, 1943, as an order of the day for a program in honor of George Washington, the Father of our Country; and that the Chaplain be instructed to prepare a program.

(Signed) Bowman

The motion prevailed.

Adjournment

At 12:02 p.m. on motion by Mr. Weborg the Legislature adjourned until 10:00 a.m. Wednesday, February 17, 1943.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, February 17, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Brodahl, Crossland, Garber, Hanna and Neubauer, who were excused.

Mr. Greenamyre announced that Messrs. Brodahl, Crossland and Hanna, as members of the Committee on Appropriations, were on a tour of investigation of state institutions.

Mr. Reavis was excused from the sessions on February 18 and 19, 1943.

The Journal for the Thirty-first Day was approved.

Visitor

President Johnson introduced Lieutenant Gwendolyn Harvey of the Women's Auxiliary Army Corps, who addressed the Legislature briefly.

Communications

A letter was read from W. M. Smart, Chief Clerk of the House of Representatives of North Dakota, enclosing a copy of House Concurrent Resolution D of that body.

The Resolution was read and, on motion by Mr. Peterson, was referred to the Committee on Agriculture.

A letter was read from Margaret E. Perkins of Omaha, regarding a claim against the state.

PETITIONS AND MEMORIALS

Mr. Greenamyre introduced a resolution favoring L. B. 82.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 226, Thursday, March 11, 1943, 2:00 p. m.

L. B. 338, Tuesday, March 2, 1943, 2:00 p.m.

L. B. 350, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 372, Tuesday, March 16, 1943, 2:00 p.m.

L. B. 376, Tuesday, March 16, 1943, 2:00 p.m.

L. B. 369, Tuesday, March 16, 1943, 2:00 p.m.

Public Works

L. B. 314, Friday, February 26, 1943, 2:00 p.m.

L. B. 347, Friday, February 26, 1943, 2:00 p.m.

L. B. 365, Friday, February 26, 1943, 2:00 p.m.

L. B. 387, Friday, February 26, 1943, 2:00 p.m.

L. B. 128, continued until Friday, February 26, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Labor & Public Welfare

LEGISLATIVE BILL 116. Placed on General File with amendments.

Standing Committee amendments to L. B. 116:

1. Amend line 2 of the title of said bill by inserting after the word "act" and before the word "relating" the following words: "to

repeal Sections 74-910 and 74-911, Compiled Statutes of Nebraska, 1929, and".

(Signed) Craven, Chairman.

Education

LEGISLATIVE BILL 366. Placed on General File with amendments.

Standing Committee amendments to L. B. 366:

(1) Amend section 1, line 5 by striking the word "prescribed", and inserting in lieu thereof the word "recommended".

(2) Amend section 2, line 4, after the word "regents", by inserting the words "or trustees of a school district".

(3) Amend section 3, line 2 after the word "regents", by inserting the words "or trustees of a school district".

(4) Amend the title of the bill, line 4, by striking the word "furnished", and inserting in lieu thereof the word "recommended".

LEGISLATIVE BILL 97. Placed on General File with amendments.

Standing Committee amendments to L. B. 97:

1. Amend the title by striking all matter after the word "ACT" in line 1 and substituting the following in lieu thereof:

"to amend section 72-229, Compiled Statutes of Nebraska, 1929, relating to sale and reinvestment of bonds held by the State of Nebraska; to provide for the sale of bonds belonging to the permanent school fund and the immediate reinvestment of the entire proceeds of sale in bonds or securities of the United States government; to provide that the transaction shall be deemed an exchange of securities; to provide that the difference between the sale value and the selling price of bonds sold shall, as a part of the respective permanent funds, be considered as a capital gain and set up as a capital reserve to offset past or future capital losses; to provide which funds shall be credited with the capital gain proceeds; to repeal the original section; and to declare an emergency."

2. Amend pages 2 and 3 of the bill by striking entirely section 1, and substituting the following in lieu thereof:

"Section 1. That section 72-229, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

72-229. All bonds held by the State of Nebraska and belonging to the ~~permanent school, permanent university, agricultural college, endowment, and normal endowment funds~~ **various funds under the general management and trusteeship of the Board of Educational Lands and Funds** shall be stamped and signed by the State Treasurer, with the following words: This bond belongs to ~~the permanent school fund, permanent university fund, agricultural college endowment fund, and normal endowment fund~~ **"naming and designating the particular fund"** of the State of Nebraska, and is not negotiable. Signed by..........., State Treasurer. ~~Provided, the board of educational lands and funds~~ **The Board of Educational Lands and Funds** is hereby empowered to ~~take such action providing for the sale of~~ **sell** any of the bonds ~~now~~ held in the ~~permanent school fund, permanent university fund, agricultural college endowment fund, and normal endowment fund of the state~~ **various funds under its management and trusteeship** as it shall deem advisable for purpose of reinvesting the same in ~~Nebraska bonds,~~ **United States Government bonds,** and a resolution of said board, certified under seal by the ~~secretary of state~~ **Secretary of State** authorizing the sale of any such bonds duly specified therein shall when attached thereto make the same negotiable by the ~~state treasurer~~ **State Treasurer. All bonds or securities sold shall be sold through the Federal Reserve Bank on the open market or upon open, public, competitive bidding, but in no case at less than the current market price on day of sale.** The proceeds received from the sale of any such bonds shall be reinvested in any **United States government bonds** ~~Nebraska securities now permitted by law~~ under the direction of the ~~state board of educational lands and funds~~ **Board of Educational Lands and Funds**~~:~~ **. Where the bonds are sold and the proceeds immediately invested in United States government bonds or securities, the transaction shall be deemed an exchange of securities. The difference between the par value and the selling price of the bonds sold shall, as a part of the respective permanent funds, be considered as a capital gain and set up as a capital reserve to offset past or future capital losses as the Legislature shall direct and determine, except that where the bonds sold were purchased at a premium and accrued interest, which was taken from the temporary or interest funds, there shall be replaced in said temporary or interest funds such amounts as shall be necessary to replace the entire sum taken therefrom which has not been theretofore replaced.** ~~Provided further, none of said~~ **No** bonds ~~hitherto purchased~~ shall be sold at less than the same cost the state, and accrued interest~~;~~. ~~and the State Treasurer is authorized to transfer from the temporary or interest fund to the permanent investment fund an amount equal to the difference between the selling price and the par value of the bonds sold: Provided further, not~~ **Not** more than one million dollars shall be invested in the bonds of any one city;~~. and provided further, no such securities shall be sold when the treasurer has on hand one hundred thousand dollars or more arising from sale of such bonds unless, he has a place for immediate investment: Provided, in the reinvestment of such funds, the said board of educational lands and funds shall purchase bonds direct from the authorities issuing the same and in order in which they shall be offered to said board: Provided, said board approve the bonds offered as proper securities for investment of such funds; and for the purpose of advising authorities offering such bonds as to their rights herein, it shall be the duty of the said board to number all offers made and to notify the said authorities of such number.~~"

3. Amend page 3 of the bill by adding an additional section numbered 3, reading as follows:

"Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 218. Indefinitely postponed.

LEGISLATIVE BILL 224. Placed on General File with amendments.

Standing Committee amendments to L. B. 224:

1. Amend title of bill, line 8 by striking the word "two" and inserting in lieu thereof the word "four".

2. Amend title of the bill, line 15, by inserting after the semicolon and before the word "and" the following: "to provide for distribution of funds when remaining part of district is attached to another district;".

3. Amend title of the bill, line 15, by striking the word "and" after the semicolon and before the word "to".

4. Amend title of the bill, line 15, by striking the period after the word "sections" and inserting in lieu thereof the following: "; and to declare an emergency."

5. Amend page 6 of the bill, section 1, line 144, by striking the word **"two"** and inserting in lieu thereof the word **"four"**.

6. Amend page 7 of the bill by adding a new section "4" following section "3", to read as follows:

"Sec. 4. **When a district is reduced in size by the purchase or appropriation of land by the United States for any defense or war project, the district to which such remaining part is attached, shall receive a pro rata share of all funds, based upon the ratio of assessed valuation of remaining part to the total valuation of the former district as determined at last current taxable valuation."**

7. Amend page 7 of the bill, section 4, line 2, by striking the number "4" following the word "Sec." and inserting in lieu thereof the number "5".

8. Amend page 7 of the bill by adding a new section "6" to read as follows:

"Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

(Signed) Matzke, Chairman.

Revenue

LEGISLATIVE BILL 154. Placed on General File.

LEGISLATIVE BILL 137. Placed on General File.

LEGISLATIVE BILL 147. Placed on General File with amendments.

Standing Committee amendments to L. B. 147:

1. Amend the bill, section 1, line 2, by striking the words "one-eighth" and inserting in lieu thereof the words "one-tenth".

2. Amend the bill, section 2, by striking all of lines 4, 5, 6 and 7 and inserting in lieu thereof the words "paid into the general fund".

3. Amend the bill by adding another section as follows:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title of the bill by striking the words "one-eighth" in line 2 of said title and inserting in lieu thereof the words "one-tenth".

5. Amend the title of the bill by striking the words and punctuation "used to construct an historical building for the State Historical Society." in lines 5 and 6 of said title, and inserting in lieu thereof the words and punctuation "paid into the general fund; and to declare an emergency."

(Signed) Raecke, Chairman.

Appropriations

LEGISLATIVE BILL 201. Placed on General File with amendments.

Standing Committee amendments to L. B. 201:

Page 1, title, line 3—after the word and punctuation "Nebraska," strike the words "the sum of eight thousand", and insert in lieu thereof the words and punctuation "not to exceed, the sum of six thousand five hundred"; and, page 2, section 1, line 3, strike the words "the sum of eight thousand", and insert in lieu thereof the words and punctuation "not to exceed, the sum of six thousand five hundred"; and page 2, section 2, line 6, and page 2, section 3, line 1, strike the words "eight thousand" and insert in lieu thereof the words "six thousand five hundred".

LEGISLATIVE BILL 188. Placed on General File with amendments.

Standing Committee amendments to L. B. 188:

Amend the bill, page 1 title, line 3, by striking the word "twenty" and inserting in lieu thereof the word "fifty"; and, on page 2, section 1, line 3—strike the word "twenty" and insert in lieu thereof the word "fifty".

(Signed) Greenamyre, Chairman.

Agriculture

LEGISLATIVE BILL 301. Placed on General File.

LEGISLATIVE BILL 174. Placed on General File with amendments.

Standing Committee amendments to L. B. 174:

1. Amend the bill Section 4, line 17 by striking the word "may" and inserting in lieu thereof the word "shall".

2. Amend the bill Section 6, line 32 by striking the word "one" and inserting in lieu thereof the word "two".

3. Amend the bill Section 7, lines 7 and 8 by striking the words "or his designated agent".

4. Amend the bill Section 7, lines 15 and 16 by reinserting the stricken matter "after twenty days following the close of the open season thereon,".

5. Amend the bill Section 7, line 15 by striking the word "twenty" and inserting in lieu thereof the word "thirty".

6. Amend the bill Section 7, lines 16 and 17 by striking the words "as provided for in game regulations of the commission,".

7. Amend the bill Section 7, line 19 by striking the words "as provided for in game regulations,".

8. Amend the bill Section 9, lines 11, 12, and 13 by reinserting the following stricken matter "or who goes upon any wild fowl sanctuary to fish or for any other purpose during the open season on wild fowl".

9. Amend the bill Section 12, line 23 by striking the word "five" and inserting in lieu thereof the word "two".

10. Amend the bill Section 12, line 23 by striking the punctuation "." following the word "dollars" and inserting in lieu thereof the following "and fifty cents.".

11. Amend the bill Section 13, lines 30, 31, 32, and 33 by striking "The commission is hereby authorized to establish game and fish shipping tags and regulations therefor. The fee for said tags shall not exceed twenty-five cents.".

(Signed) Carmody, Vice Chairman.

Enrollment & Review

LEGISLATIVE BILL 40. Placed on Select File with amendments.

E and R amendments to L. B. 40:

1. Strike Standing Committee amendments Nos. 1 and 2, and in the bill, title, page 2, 8th line, insert the word "and" before the words "to state", and strike: " ; and to declare an emergency" .

2. In the legislature amendment by Mr. Greenamyre, 2nd line, insert: "Sec. 8." after the quotation mark and before the word "The"; and strike all of said amendment after "expenses" " , and in the bill, Section 8, page 6, line 9, strike the words "against this appropriation", and in lieu thereof, insert: "for such expenses".

3. In legislature amendment No. 1, by Mr. Reavis and Mr. Matzke, after the word "therefrom" and before the period ("."), insert the following: "except the word, figure and punctuation "Sec. 5." at the beginning of line 1 of said section".

4. Strike legislature amendments Nos. 1, 2 and 6, by Mr. Mischke, and strike the new subject matter, after the colon (:) in each of the legislature amendments Nos. 3 to 5 inclusive, by Mr. Mischke. In lieu of the part stricken in amendment No. 3, insert: "or any other person authorized by the laws of Nebraska to make such a certificate,". In lieu of the part stricken in amendment No. 4, insert: "or such other person so authorized,". In lieu of the part stricken in amendment No. 5, insert: ", or any other person authorized by the laws of Nebraska to make such a certificate,".

5. In the bill, title, strike "physician's certif-" in the 2nd line, and all the remainder of said title on page 1, and in lieu thereof, insert the following:

> "certificate, made by a physician, or other person authorized by the laws of Nebraska to make such a certificate, by each applicant for a marriage license, stating that the applicant, upon an examination, including a standard serological test, is found to not be infected with syphilis or, if so infected, that the disease is not in a stage which is or may become communicable to a marital partner; to provide that such certificate be accompanied by a statement from a person in charge of or authorized to make reports for the laboratory making such test, which certificate and statement shall be on a form provided by the Department of Health and referred to in this act as "the certificate form"; to define standard serological test and approved laboratory; to define the duties of the Department of Health in connection therewith; to authorize the county judge to waive compliance with the requirements of this act, under certain circumstances, and to provide for certain procedure if the license is issued because of such waiver; to provide free examinations and laboratory tests in certain

> cases; to prescribe penalties for violation of the provisions of this act; to provide for the payment of the expenses necessary for carrying out the provisions of this act; to amend section 42-104 Compiled".

6. In the bill, title, page 2, 3rd line on that page, insert the word "the" after the word "of" and before the word "parent", and also after the word "or" at the end of said line, and strike the comma (",") after the word "parents" and before the word "or".

7. In the bill, Section 1, page 2, strike all of line 1 after the word "any", all of line 2, and the words: "shall issue any such", in line 3, and in lieu thereof, insert the following: "county judge shall issue a marriage".

8. In the bill, Section 1, page 2, line 7, insert the word "an" after the word "such"; in line 14, strike the word "the" before the word "marital", and in lieu thereof, insert the word "a"; and in line 16, after the word "is" and before the word "validly" insert the word "also", and after the word "give" and before the word "consent", insert the words: "his or her".

9. In the bill, Section 2, page 3, line 3, strike the following: ", or from some other person", and in lieu thereof, insert the word "or"; in line 7, strike the words "certificate of a", and strike all of lines 8 and 9, also the words "for the laboratory" at the beginning of line 10, and in lieu thereof, insert: "said certificate and statement"; and strike all of line 12, and in lieu thereof, insert the following: "county judges in the state".

10. In the bill, Section 3, page 3, lines 4 and 5, strike the following: "the department; Provided, that any", and in lieu thereof, insert the following: "said department. Any"; and in line 6, strike the comma (",") after the word "Service", and in lieu thereof, insert the word "or".

11. In the bill, Section 3, page 3, strike all of lines 10, 11 and 12, except the word "Any" at the end of line 12; in line 14, strike the word "this", after the word "on" and before the word "form", and in lieu thereof, insert the word "a", and in said line, after the word "triplicate" and before the period "(.)", insert the following: ", which forms are to be issued and distributed by the Department of Health to all such approved laboratories in this state, upon request"; and in line 18, after the word "for" and before the word "file", insert the word "its".

12. In the bill, Section 4, page 4, line 2, strike the words "the physician for the", and in lieu thereof, insert the word "such"; in line

4, after the word "or" at the end of said line, insert the following: "other person so authorized or"; and in line 6, after the word "physician" and before the word "or", insert the following: " , other person so authorized" .

13. In the bill, Section 5, page 4, line 13, after the word "and" and before the word "certificate", insert the word "the"; in line 15, after the word "syphilis" and before the comma (","), insert the following: "communicable to a marital partner"; in lines 17 and 18, strike the following: "to order the licensing authority", and in lieu thereof, insert a comma (","); and in line 24, strike the following: "the clerk of the court", and in lieu thereof, insert the following: "the county judge".

14. In the bill, Section 5, page 5, line 30, strike the word "court", and in lieu thereof, insert: "county judge,"; in line 32, insert the word "the", after the word "or" and before the word "rules"; in line 33 strike the word "provisins" and insert the word "provisions"; and in line 34, after the word "proceedings" and before the period ("."), insert the following: "before the county judge".

15. In the bill, Section 6, page 5, line 2, strike the following: "physician, or representative of the", and in lieu thereof, insert the following: "any physician or other person authorized by the laws of Nebraska to make such a certificate, any person in charge of or authorized to make such reports or statements for a"; in line 4, strike the semicolon (";") and the word "or" after the word "act", and in lieu thereof, insert a comma (","); in line 6, strike the following: "or an order from the court,"; and in line 9, strike the semicolon (";") after the word "license", and in lieu thereof, insert a comma (",").

16. In the bill, Section 7, page 5, lines 2 and 8, strike the word "court" .

17. In the bill, Section 8, page 6, line 5, insert the word "the" after the word "to" and before the word "checking"; in line 6, insert the word "the" after the word "in" and before the word "administration", and strike the word "the" at the end of said line, and in lieu thereof, insert the word "this"; and in line 10, strike the comma (",") after the word "Health" .

18. In the bill, Section 9, page 6, line 6, insert a comma (",") after the word "marriage" and before the word "hereafter", and in line 7, after the word "contracted" and before the word "shall"; in line 8, strike the comma (",") after the word "obtained", and in lieu thereof, insert a comma (","); in line 10, strike the word "marriage", and in lieu thereof, insert the word "marriages"; in line 15, strike the

comma (",") after the word "parents", and in lieu thereof, insert a comma (","); and insert the word "the" after the word "or" and before the word "guardian".

19. Insert a comma (",") in the bill, in the following places: Section 1, page 2, line 5, after the word "physician"; line 12, after the word "or"; line 18, after the word "laboratory"; Section 2, page 3, line 2, after the word "statement"; Section 3, page 3, line 1, after the word "act"; line 7, after the word "approved"; line 13, after the word "state"; line 14, after the word "act"; line 15, after the word "transmitted"; and line 16, after the word "tests"; Section 4, page 4, line 7, after the word "reimbursed"; Section 5, page 4, line 14, after the word "refused"; line 20, after the word "satisfied" and also after the word "proof"; and on page 5, line 27, after the word "department"; line 31, after the word "necessary"; line 32, after the word "proceedings"; line 33, after the word "act"; Section 6, page 5, line 11, after the word "and"; Section 7, page 5, line 3, after the word "to", line 9, after the word "person"; line 10, after the word "same", and also after the word "and"; Section 8, page 6, line 6, after the word "assistance"; line 7, after the word "act".

LEGISLATIVE BILL 41. Placed on Select File with amendments.

E and R amendments to L. B. 41:

1. In the 1st legislature amendment by Mr. Greenamyre, 2nd line, strike the following: "and lines 33 and 34 and", and in lieu thereof, insert: " , all of lines 33 and 34, and on page 3, line 35, also strike".

2. Strike Standing Committee amendments Nos. 1 and 2, and in lieu thereof, and also to comply with the second legislature amendment by Mr. Greenamyre, strike all of the remainder of the title, in the bill, page 1, after the words "to show" in the 10th line, and in lieu thereof, insert the following:

> "the date when such a test was made and if no test was made, the reason shall be recorded upon such certificate, but said certificate shall not show the result of any such test; and to provide that the Department of Health shall provide the necessary expenses in carrying out the provisions of this act."

and, in the title, 8th line, after the words "filing of" and before the word "results", insert the word "the"; in the 9th line, after the words "to require" and before the word "birth", insert the word "each".

3. In the legislature amendment by Mr. Mischke, insert a comma (",") in the new subject matter, after the quotation mark and before the word "or".

4. In the bill, Section 1, page 2, insert the word "the" in the following places: Lines 5 and 11, after the words "sample of"; line 6, after the words "time of"; line 31, after the word "show"; and line 32, after the word "made".

5. In the bill, Section 1, page 2, line 15, insert the word "such" after the word "all", and also in line 31, after the word "of" and before the word "test".

6. In the bill, Section 1, page 2, insert a comma (",") in the following places: Line 12, after the word "physician"; line 18, after the word "act"; line 22, after the word "tests"; line 23, after the word "act"; line 25, after the word "physicians"; and line 26, after the word "reports".

LEGISLATIVE BILL 75. Placed on Select File with amendments.

E and R amendments to L. B. 75:

1. Strike the Standing Committee amendment, and in lieu thereof, in the bill, Section 1, page 2, lines 14 and 15, after the word "purpose", strike the following: " , and that vacancies", and in lieu thereof, insert the following:

> **"or for cause as defined and provided for in Section 55-117, Compiled Statutes of Nebraska, 1929. ~~,~~ ~~and that vacancies~~ Vacancies".**

2. In the bill, title, 6th line, after the following: "staff officers;", insert the following:

> "changing the exception in the provision of this act that staff officers of the militia, including those particularly referred to, shall hold their positions until they have reached the age of sixty-four years, to include retirement prior thereto for cause as defined and provided for in Section 55-117, Compiled Statutes of Nebraska, 1929;"

3. In the bill, Section 1, page 2, line 13, strike the word "or" and in lieu thereof insert the word "~~or~~".

4. In the bill, Section 1, page 2, line 14, strike the comma after the word "convened" and insert, in lieu thereof: "~~,~~".

5. Insert a comma (",") in the bill, Section 1, page 2, in line 14, after the word "martial"; in line 21, after the word "man"; and in line 22, after the word "years".

LEGISLATIVE BILL 110. Placed on Select File with amendments.

E and R amendments to L. B. 110:

1. In the Standing Committee amendment No. 3, strike the comma (",") after the quotation mark and before the word **"which"**.

2. Strike Standing Committee amendment No. 4, and in the bill, page 2, line 8, after the figure "1", strike the following: ", the", and in lieu thereof, insert the following: **"next following, The the"**, and at the end of said line, after the word "required", insert a comma (",").

3. In Standing Committee amendment No. 8, insert a comma (",") in the following places: after the word **"may"** and also after the word **"discretion"** in the third line; before and also after the words **"as received"** in the 4th line; and after the word **"thereof"** in the 8th line.

4. In the bill, at the top of page 1, third line, strike "No.".

5. In the bill, title, page 1, 1st line, and also in Section 1, page 2, line 1 and Section 3, page 3, line 2, insert a comma (",") after the word and punctuation "Supp.".

6. In the bill, title, page 1, insert the word "the" before the word "giving" and also before the word "amount", in the 4th line, and in the same line, before the word "taxpayer", insert the word "each".

7. In the bill, title, page 1, 6th line, after the semicolon (";") and before the word "and", insert the following: providing for the partial payment of taxes to the sheriff, after a distress warrant has been issued and delivered to him;".

8. In the bill, Section 1, page 2, line 15, strike the word **"his"** before the word "delinquent", and in lieu thereof, insert the word **"such"**, and in the same line, strike the period (".") after the word "tax" and in lieu thereof, insert the following: ", and .".

9. In the bill, Section 1, page 2, line 27, strike the word "distress" at the end of said line, and in lieu thereof insert the following: "Distress , **distress"**.

10. In the bill, Section 1, page 2, line 32, before the word "**July**", insert a comma (",").

11. In the bill, Section 1, page 3, line 36, strike "**July 1**", and in lieu thereof insert the following: ", **July 1,**", and in line 37, insert the word "**such**" after the word "paid".

12. In the bill, Section 1, page 3, line 41, strike the period (".") after the word "annum", and in lieu thereof, insert: "; .", and at the end of said line, strike the comma and insert ",". (printed bill is correct)

13. In the bill, Section 1, Page 3, line 51, after the figure "2" and before the word "of" insert the following: "77-1063, 77-1050)".

14. In the bill, Section 2, page 3, line 6, strike the following: ". and He", and in lieu thereof, insert: "and he . **He**".

15. In the bill, insert a comma (",") in the following places: Section 1, page 2, line 3, after the word "**may**"; line 4, after the word "**year**"; line 10, after the word "**delinquent**"; line 13, after the word "taxes" and also after the word "thereof"; line 17, after "**July 1**"; line 21, after the word "same", and line 24, after the word "levied", and also after the word "law"; and in Section 1, page 3, line 37, after the word "full"; line 38, after the word "annum", and in line 40, after the word "**full**"; In Section 2, page 3, line 3, after the word "warrants"; line 4, after the word "taxes" and in line 12, after the word "return".

LEGISLATIVE BILL 158. Placed on Select File with amendments.

E and R amendments to L. B. 158:

1. In the bill, title, 2nd line, insert the word "a" after the word "for" and before "max-".

2. In the bill, Section 1, page 2, line 17, strike the word "such", after the word "for" and before the word "period", and in lieu thereof, insert: "such a" and in line 19, strike the word "the" before the word "copy", and in lieu thereof insert: "the a".

3. Insert a comma (",") in the following places, in the bill: Section 1, page 2, line 17, after the word "time"; line 18, after the word "jail"; and line 20, after the word "Engineer" and also after the word "Irrigation".

LEGISLATIVE BILL 163. Placed on Select File with amendments.

E and R amendments to L. B. 163:

1. In Standing Committee amendment No. 1, before the period and after the word and figures "line 14", insert the following: "and insert in lieu thereof: ~~inhabitants and less than~~".

2. Strike Standing Committee amendment No. 3, and legislature amendment by Mr. Peterson, and in lieu thereof, in the bill, Section 1, page 2, strike all of line 16, after the word "year", all of line 17, and the words "per year" in line 18, and in lieu thereof, insert the following: " ~~;~~ ~~and in counties having more than 125,000 inhabitants fifteen hundred dollars per year~~".

3. Strike Standing Committee amendment No. 5.

4. In the bill, Section 1, page 2, insert a comma (",") in line 11, after the word "services"; and in lines 12 and 15, after the word "inhabitants".

5. In the bill, Section 1, page 2, line 12, strike the semicolon (";") and in lieu thereof, insert the following: "~~;~~ **and,**".

LEGISLATIVE BILL 178. Placed on Select File with amendments.

E and R amendments to L. B. 178:

1. In the bill, title, page 1, 3rd line, after the word "agents" and before the semicolon (";"), insert the following: "and prescribing procedure in regard thereto".

2. In the bill, title, page 1, 6th line, insert a comma (",") after the word "State"; and in the 7th line, after the word and punctuation "corporation;" insert the following: "prescribing certain procedure when such service is had; providing that a foreign corporation, failing to maintain such an agent, may be barred from doing business in this state and for an entry and record thereof;".

3. In the bill, Section 1, page 2, line 12, strike the following: " ; (b) the", after the word "corporation", and in lieu thereof, insert: " ~~;~~ ; (b) **the** ~~The~~"; in line 14, strike: " ; (c) if", and in lieu thereof, insert: " ~~;~~ ; (c) **if** ~~If~~"; in line 16, strike: "; (d) the", and in lieu thereof, insert: "~~;~~ ; (d) ~~The~~ **the**"; in line 17, strike: " ; (e) if", and in lieu thereof, in-

sert: "~~.~~ ; (e) ~~If~~ **if**"; in line 18, strike: " ;(f) that", in lieu thereof, insert: " ~~.~~ ; (f) ~~That~~ **that**"; in line 21, strike: " ; (g) that", and in lieu thereof, insert: " ~~.~~ ; (g) ~~That~~ **and that**"; in line 30, strike: " . (b) File", and in lieu thereof, insert: " ~~.~~ ; (b) ~~File~~ **file**"; in line 31, strike: " . (c) Return", and in lieu thereof, insert: " ~~.~~ (c) ~~Return~~ **; and return**"; in line 32, strike: "~~of~~ **or**", and in lieu thereof, insert: "or"; and on page 3, line 42, strike: " : (a) A", and in lieu thereof, insert: " , ~~(a) A~~ **a**": and on page 4, line 82, strike the comma (",") after the word "**contract**", and after the word "**or**" and before the word "**portion**" insert the word "**a**", and in line 85, insert the word "**the**" after the word "**for**" and before the word "**service**".

4. In the bill, Section 1, page 4, lines 86 and 87, strike the word "**the**" before the word "**state**", appearing in three places, and in lieu thereof, insert the word "**this**" .

5. Insert a comma (",") in the bill, in the following places: Section 1, page 3, line 40, after the word "record"; line 65, after the word "**corporation**"; line 67, after the word "State"; on page 4, line 76, after the word "**or**", and in lines 86 and 87, in three places, after the word "**state**".

6. In Standing Committee amendment No. 2, insert a period (".") after the word "emergency" and before the quotation mark.

LEGISLATIVE BILL 180. Placed on Select File with amendments.

E and R amendments to L. B. 180:

1. In Standing Committee amendment No. 1, include a semicolon (";") after the word "school" and before the quotation mark, at the end of said amendment.

2. In the bill, title, page 1, 11th line, after the words: "cancellation of", insert the words: "such a"; and in the 12th line, after the words: "superintendent where", insert the word "the" .

3. In the bill, Section 1, page 2, line 23, before the word "county", strike the word "The" and in lieu thereof, insert: "~~the~~ **The**"; and on page 3, line 45, after the comma (",") and before the word "the", strike the word "and", and in lieu thereof, insert the word "~~and~~", and in line 56, after the semicolon (";") and before the word "provided", strike the word "and", and insert the word "~~and~~" .

4. In the bill, Section 1, page 3, line 49, also on page 5, in lines 108 and 126, strike the semicolon (";") and in lieu thereof, insert: "~~;~~ ;" .

5. In the bill, Section 1, page 3, line 66, after the word "case" and before the semicolon (";"), strike the word "is" and in lieu thereof, insert the following: "is may be".

6. In the bill, Section 1, insert a comma (",") in the following places: page 2, line 4, after the word "grade"; line 15, after the word "affected"; line 18, after the word "taxpayers"; line 25, after the word "and"; line 26, after the word "person"; on page 3, line 35, after the word "transfer"; line 41, after the word "land"; line 44, after the word "purposes"; line 47, after the word "estate"; and on page 5, line 113, after the word "superintendent"; and in line 46, strike the comma (",") after the word "guardians" and in lieu thereof, insert: ";".

LEGISLATIVE BILL 196. Placed on Select File with amendments.

E and R amendments to L. B. 196:

1. In the bill, title, page 1, 2nd line, strike the comma before the words "or otherwise" and in the 3rd line, insert a comma after the words "by it" and before the word "from"; and in Section 1, page 2, line 7, insert a comma after the word "as" and in line 8, before the word "shall".

2. In the bill, Section 1, page 2, line 1, strike the words "That the" and in lieu thereof insert the word "The".

3. In the bill, Section 1, page 2, line 9, strike the word "the", and in lieu thereof, insert the word "such".

4. In the bill, Section 1, page 2, line 11, strike the words "same and charge same off", and in lieu thereof, insert the following: "and charge off the same".

LEGISLATIVE BILL 271. Placed on Select File with amendments.

E and R amendments to L. B. 271:

1. In legislature amendment to title, by Mr. Reavis, insert a semicolon (";") after the quotation mark and before the words "and to"; also, in the bill, title, last two lines, strike the word "and" before the words "to repeal".

2. In the bill, title, 10th line, strike the words: "where such is done"; in the 11th line, after the words and punctuation "bindweed act,", strike the word "and", and in lieu thereof, insert the following: "if such procedure is followed; prescribing".

3. Insert a comma (",") in the bill, title, 7th line, after the words "be furnished", and insert a comma (",") in Section 1, of the bill, line 7, after the word "owner", line 8, after the word "owners", line 11, after the word "land", and line 12, after the word "file".

4. In the bill, Section 1, page 2, line 3, strike the words: "That the" and in lieu thereof, insert the following: "That the The".

5. In the bill, Section 1, page 2, line 8, after the words "or all", insert the word "of"; in line 12, strike the following: "in which such land is situated", and in lieu thereof, insert: "of such county"; and in line 13, after the words "plan for" insert the word "the".

6. In the bill, Section 1, page 2, line 10, after the word "bindweed" and before the period ("."), insert the following: "(Convolvulus arvensis)".

LEGISLATIVE BILL 26. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill 26.

Amendments to Titles

Speaker Crosby announced that in making amendments to the titles of bills, the words "A BILL" will be counted as line one in the same manner as has been done in previous sessions.

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. Nebraska Geological and Water Survey.

Introduced by Frank Sorrell of Otoe.

Preamble

WHEREAS, The Nebraska Geological Survey in cooperation with the U. S. Geological Survey is now collecting and assembling statistical information on the mineral resources and on the ground water resources with the Ground Water Branch of the U. S. Geological Survey as the general duty of the survey,

AND WHEREAS, it has been suggested from the War Department that they continue to carry on this work in considerable detail for the duration, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

1. That the State Water Survey of the Conservation and Survey Division of the University of Nebraska is requested and authorized to collect and assemble annual statistical data relating to the consumptive use of ground water by industries, municipalities and for pump irrigation in Nebraska.

2. That the Nebraska Geological Survey is requested and authorized to collect and assemble annual statistical data relating to the production of petroleum, sand, gravel, stone and other mineral resources in Nebraska.

3. That a copy of this resolution, properly authenticated and suitably engrossed be forthwith prepared by the clerk of the Legislature, and a copy of this resolution be furnished to the State Water Survey of the Conservation and Survey Division of the University of Nebraska and to the Nebraska Geological Survey of the University of Nebraska.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 66. With emergency clause.

A bill for an act to prohibit the stealing of rubber tires from or for use upon motor vehicles, and the buying of such tires knowing the same to have been stolen; providing penalties for first and subsequent offenses; providing a termination date for this act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Conklin
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Brodahl
Burnham
Carmody
Craven
Crossland
Garber
Hanna
Heiliger
Neubauer
Osborne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 35. Laid over.

LEGISLATIVE BILL 21.

A bill for an act to amend section 83-741, Compiled Statutes of Nebraska, 1929, relating to salaries of the superintendent of the state hospitals for the insane; to provide that the salary of the superintendent of each of such hospitals shall not exceed the sum of thirty-six hundred dollars per annum, to be determined by the Board of Control; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 24:

Anderson, D. S.
Anderson, James H.
Bowman
Crosby
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 13:

Asimus
Burnham
Conklin
Craven
Dooley
Jeffords
Jeppesen
Mekota
Mueller
Osborne
Sorrell
Thomas
Weborg

Not voting, 6:

Brodahl
Carmody
Crossland
Garber
Hanna
Neubauer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 44.

A bill for an act to amend section 77-1927, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that payment of the principal of all personal taxes, more than ten years delinquent, of any taxpayer, shall cancel all claims for the personal taxes of such taxpayer for such years, if all other subsequent taxes, due, from such taxpayer, in that county, have been paid in full; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, James H.
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, D. S.
Brodahl
Carmody
Crossland
Garber
Hanna
Neubauer

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 80.

A bill for an act to amend section 26-906, Compiled Statutes of Nebraska, 1929, relating to the employment of a prosecuting attorney in a civil action; to provide that a prosecuting attorney shall not be an attorney or counsel for either party, other than the state or county, in a civil action depending upon the same state of facts, investigated by him, while acting as county coroner; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Carmody
Crossland
Garber
Hanna
Neubauer
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 130. Passed over. Retains place on File.

LEGISLATIVE BILL 69. Passed over. Retains place on File.

LEGISLATIVE BILL 152. Referred to E and R for review.

LEGISLATIVE BILL 171. Mr. James H. Anderson offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 1, line 4, by striking the words "under the provisions of this article or" and insert in lieu thereof the following: "**by the irrigation district, except property**".

2. Amend page 2 of the bill, section 1, line 5, by adding a comma after the word "foreclosure".

3. Amend pages 2 and 3 of the bill, section 1, lines 7 to 35, inclusive, by reinstating all matter shown as stricken.

4. Amend page 3 of the bill, section 1, line 35, by inserting before the word "**authorize**" the following: "**The board of directors of any irrigation district may**".

5. Amend page 3 of the bill, section 1, line 36, by striking the word "**thereof**" and inserting in lieu thereof the following: "**of any property acquired through purchase at tax foreclosure sale**".

Referred to E and R for review.

Visitor

Mr. Peterson introduced Mr. Hubert R. Gallagher, Assistant Director of the Council of State Governments, who addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL 82. Read and considered.

Mr. Peterson offered the following amendment, which was adopted with 24 ayes, 9 nays, 10 not voting.

Amend the Committee amendment by striking from line 1 of Section 7 the words "or unwilling".

Laid over. Retains place on File.

Adjournment

At 12:37 p. m. on motion by Mr. Peterson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 18, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Brodahl, Crossland, Hanna and Reavis, who were excused.

The Journal for the Thirty-second Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Lee, one, favoring legislation to create and maintain an agricultural industrial council; Douglas County members, one, favoring L. B. 376.

Communications

A letter was read from John Straka of Milford regarding conditions at the Trade School there.

NOTICE OF COMMITTEE HEARINGS

Judiciary

Legislative Resolution No. 3, Wednesday, March 3, 1943, 2:00 p.m.

L. B. 303, Friday, February 26, 1943, 2:00 p.m.

L. B. 206, Friday, February 26, 1943, 2:00 p.m. (Changed from Feb. 24)

L. B. 228,	Friday, February 26, 1943, 2:00 p.m. (Changed from Feb. 24)
L. B. 237,	Friday, February 26, 1943, 2:00 p.m. (Changed from Feb. 24)
L. B. 240,	Wednesday, March 3, 1943, 2:00 p.m. (Changed from Feb. 22)
L. B. 371,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 298,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 383,	Friday, March 5, 1943, 2:00 p.m.
L. B. 322,	Friday, March 5, 1943, 2:00 p.m.

Government

L. B. 244,	Friday, February 26, 1943 2:00 p.m.
L. B. 327,	Friday, February 26, 1943 2:00 p.m.
L. B. 409,	Friday, February 26, 1943 2:00 p.m.
L. B. 348,	Friday, February 26, 1943 2:00 p.m.
L. B. 380,	Wednesday, March 3, 1943 2:00 p.m.
L. B. 345,	Wednesday, March 3, 1943 2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 295, Wednesday, March 3, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 306. Placed on General File.

LEGISLATIVE BILL 304. Placed on General File.

LEGISLATIVE BILL 305. Placed on General File.

LEGISLATIVE BILL 307. Placed on General File.

LEGISLATIVE BILL 308. Placed on General File.

(Signed) Gantz, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 150. Placed on General File with amendments.

Standing Committee amendments to L. B. 150:

1. Amend the bill Section 1, line 2 by inserting the words "at retail" after the word "fireworks" and before the word "outside".

2. Amend the bill by striking all of Section 2.

3. Amend the bill by striking all of the Title following the word "penalty" and by inserting after the word "penalty" a ".".

4. Amend the Title of the bill by inserting the words "at retail" after the word "fireworks" and before the word "outside" in line 2 thereof.

LEGISLATIVE BILL 100. Placed on General File with amendments.

Standing Committee amendments to L. B. 100:

1. Amend the bill Section 1, line 3, insert after Nebraska, the words, "who shall be chairman of the commission.".

2. Amend the bill Section 1, line 3, strike the word "for" and insert in lieu thereof "four".

3. Amend the bill Section 1, line 4, strike the words "Secretary of the State" and insert in lieu thereof the word, "Governor".

4. Amend the bill Section 1, line 6, strike the words, "Secretary of the State" and insert in lieu thereof the word "Governor".

5. Amend the bill Section 2, line 2, and 3, strike the words, "Secretary of the State, who is designated as the chairman of the commission", and insert in lieu thereof the word, "Governor".

6. Amend the bill Section 2, line 10, strike the words, "Secretary of the State" and insert in lieu thereof the word "Governor".

7. Amend the bill Section 2, line 12, 13, and 14, strike the words, "Any such appointees may be removed from such office upon the affirmative vote of three of the appointed commission members."

8. Amend the bill Section 2, line 15, strike the words "Secretary of State" and insert in lieu thereof the word "Governor".

9. Amend the bill Section 2, line 21, insert after the word "any" the word "other".

10. Amend the bill Section 8, line 10, insert after "1943," the words "in accordance with the provisions of this act."

11. Amend the bill Section 9, line 3, insert after the word "shall" the word "not".

12. Amend the bill Section 9, line 6, insert after the word "without" the word "first".

13. Amend the bill Section 9, line 6, strike the word "allenging" and insert in lieu thereof the word "alleging".

14. Amend the bill Section 17, line 13, strike the word "dues" and insert in lieu thereof the word "fees".

15. Amend the bill Section 19, line 17, insert after the word "fund." the words "When this act becomes effective any and all funds are credited to the State Real Estate Commissioner's Fund and any money owed to this fund shall be transferred to the State Real Estate Commission's Fund."

16. Amend the bill Section 23, line 14, insert after the word "court" the words "of Lancaster County".

17. Amend the Bill Section 26, line 4, strike the word "obtain" and insert in lieu thereof the word "obtained".

18. Amend the bill Section 27, line 8, strike the word "sntences" and insert in lieu thereof the word "sentences".

(Signed) Foster, Chairman

Public Works

LEGISLATIVE BILL 300. Placed on General File with amendments.

Standing Committee amendments to L. B. 300:

1. Amend page 3 of the bill, section 1, line 49, by inserting a comma after the word "**cities**", followed by the following additional matter:

"**except cities of the metropolitan class,**".

LEGISLATIVE BILL 204. Placed on General File.

LEGISLATIVE BILL 71. Placed on General File.

LEGISLATIVE BILL 72. Placed on General File with amendments.

Standing Committee amendments to L. B. 72:

1. In Section 1, line 7, strike out the words "any governmental unit", and insert therein in lieu of said words the following words: "any public power district".

LEGISLATIVE BILL 155. Indefinitely postponed.

LEGISLATIVE BILL 193. Indefinitely postponed.

LEGISLATIVE BILL 269. Placed on General File.

LEGISLATIVE BILL 386. Placed on General File with amendments.

Standing Committee amendments to L. B. 386:

1. Amend page 3 of the bill, section 1, lines 36 to 47, inclusive, by striking all of the new matter after the semicolon in line 36 and inserting the following in lieu thereof:

And provided further, that if the public road along, upon, across, and under which the right to construct, operate and maintain the telephone or telegraph line is granted, is a state or federal highway, then the location and installation insofar as they pertain to the present and future use of the rights-of-way for highway purposes shall be subject to such reasonable regulations and restrictions as prescribed by the Department of Roads and Irrigation; and provided further, that if future use of said state or federal highway requires the moving or relocating of said facilities, then such facilities shall be removed or relocated by the owner, at the owner's cost and expense, and as directed by the Department of Roads and Irrigation.

2. Amend pages 4 and 5 of the bill, section 2, lines 51 to 62, inclusive, by striking all of the new matter after the semi-colon in line 51 and inserting the following in lieu thereof:

And provided further, that if the public road along, upon, across, and under which the right to construct, operate and maintain the electrical transmission line is granted, is a state or federal highway, then the location and installation of the electrical transmission facilities insofar as they pertain to the present and future use of the rights-of-way for highway purposes shall be subject to such reasonable regulations and restrictions as prescribed by the Department of Roads and Irrigation; and provided further, that if future use of said state or federal highway requires the moving or relocating of said facilities, then such facilities shall be removed or relocated by the owner, at the owner's cost and expense, and as directed by the Department of Roads and Irrigation.

3. In line 13, Section 1, strike the word "twenty", and insert in lieu thereof the word "eighteen", and in line 17, Section 2, strike the word "twenty", and insert in lieu thereof the word "eighteen".

4. That the title be amended to conform.

(Signed) Mischke, Chairman

Enrollment and Review

LEGISLATIVE BILL 32. Replaced on Select File with amendments.

E and R amendments to L. B. 32:

1. In the bill, title, page 1, 5th line, after the word "boards", at the end of said line, insert the following: ", in counties having a population of two hundred thousand or more," .

2. In the bill, Section 2, page 3, line 26, strike the word "**their**", before the word "**discretion**", and in lieu thereof, insert the word "**its**"; in lines 27 and 28, strike the following: "**, where the assessor is supervisor of the tax lists, and in all other counties the county clerk,**"; and in line 33 strike the following: "**or clerk, as the case is,**" .

3. In the bill, Section 3, page 4, line 7, after the word "list", strike the comma inserted by Standing Committee amendment No. 5, and the word "**or**" , and in lieu thereof, insert the following: "**in a double column or upon**" .

4. In the new matter inserted in quotation marks, in Enrollment and Review Committee amendment No. 13, strike the words "shall return his" and in lieu thereof, insert the following: "**or assessor** shall return ~~his~~ **such**" .

LEGISLATIVE BILL 179. Placed on Select File with amendments.

E and R amendments to L. B. 179:

1. In the bill, title, page 1, 11th line, insert the word "the" after the word "for" and before the word "numbering", and also after the words "plates of".

2. In the bill, Section 3, page 3, line 3, strike the word "The", at the end of said line, and in lieu thereof, insert: "~~the~~ **The**", and in line 27, strike the comma (",") after the word "trucks", and in lieu thereof, insert: "~~,~~ **and**"; and on page 4, line 38, strike the word "or", after "ranch," and before the word "used", and in lieu thereof, insert the word "~~or~~".

3. In the bill, Section 3, page 4, line 61, strike the comma (",") before the word "said", and in lieu thereof, insert: "~~,~~ ;", and insert the word **"are"** after the word "letters" and before the word "to".

4. Insert a comma (",") in the title, page 1, 7th line, after the word "provide"; 10th line, after the word "provide" and also after the figures "1945" and 12th line, after the word "vehicles"; insert a semicolon (";") in the 13th line after the word "tons".

5. Insert a comma ("~~,~~") in the bill, in the following places: Section 2, page 2, line 4, after the word "trailers", and also after the word "less"; Section 2, page 3, line 32, after the word "and"; Section 3, page 3, line 5, after the word "person"; line 6, after the word "number"; line 12, after the word "number"; line 14, after the word "displayed"; line 15, after the word "trailer"; line 16, after the word "capacity" and also after the word "thereof"; line 26, after the word "trailers"; line 27, after the word "classification"; line 28, after the word "carry"; Section 3, page 4, line 37, after the word "ranchers"; line 41, after the word "plates"; line 42, after the word "number"; line 45, after the word "property" and after the word "plates", line 50, after the word "person"; line 57, after the word "number"; and line 60, after the word "number"; and in Section 3, page 4, line 39, strike the comma (",") after the word "market", and in lieu thereof, insert: "~~,~~".

LEGISLATIVE BILL 107. Placed on Select File with amendments.

E and R amendments to L. B. 107:

1. In the bill, title, page 1, strike the word "in" at the end of the 3rd line, all of the 4th line and the word "like" in the 5th line, and in

lieu thereof, insert the following: ", in or by its corporate name, with the same".

2. In the bill, title, page 1, 7th line, after the word "corporation" and before the semicolon, insert the following: ", including service by publication, and the manner and procedure for such service".

3: In the bill, Section 1, page 2, line 1, after the word "sued", at the end of said line, insert the following: ", either".

4. In the bill, Section 1, page 2, insert a comma (",") in the following lines: line 3, after the word "which"; line 4, after the word "dissolution"; line 6, after the word "process"; and line 8, after the word "sheriff"; and in line 3, strike the comma (",") after the word "accrued".

5. In the bill, Section 1, page 2, line 5, strike the words "in the same manner and with like", and in lieu thereof, insert: "with the same"; and in line 8, insert the word "by" after the word "or" and before the word "any".

6. In the bill, Section 1, page 2, line 9, strike the following: "proper officer by delivering", and in lieu thereof, insert the following: "person or officer entitled to serve process in other actions in the same court, by delivering a copy thereof".

7. In the bill, Section 1, page 2, line 11, strike the words: "a copy thereof"; and in line 12, after the word "such" and before the word "copy" insert the word "a", and strike the word "trustees" at the end of said line, and insert the word "trustee".

8. In the bill, Section 2, page 2, line 1, after the word "shall", insert the following: "be in full force and"; and in line 2, strike the following: "and be in full force".

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 40. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Laid over. Retains place on File.

LEGISLATIVE BILL 41. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Laid over. Retains place on File.

LEGISLATIVE BILL 75. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 110. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 163. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 178. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 180. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 196. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 271. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Klaver presiding

LEGISLATIVE BILL 130. Read and considered.

Mr. Neubauer moved to refer to E and R for review.

Mr. Craven offered the following amendment, which was adopted:

Amend by striking from Sec. 2, page 2 of the printed bill, beginning in line 10 with the word "any" and continuing to and including the word "sufficient" in line 13.

Mr. Osborne offered the following amendment, which was adopted:

Strike from Sec. 5 all matter after the word "activities" in line 19 to the word "Provided" in line 22.

Mr. Mueller offered the following amendment, which was adopted:

That Sec. 2, line 3, after the word "appoint" be amended by inserting "Subject to confirmation by the Legislature".

Mr. Gantz offered the following amendment, which was adopted:

Amend sec. 5, line 23, by striking the words "or contracts" from said line.

Mr. Crosby offered the following amendment:

Amend Sec. 7, line 9, by striking the words ", furtherance or construction".

Mr. James H. Anderson offered the following substitute to Mr. Crosby's amendment, which was adopted:

Amend Sec. 7, line 8, by striking the syllable "In-" , by striking the syllable or part of word "vestigation", the words "or construction of any works" in line 9, and by striking the word "within" in line 10, and insert in lieu thereof the word "of" in line 10 before the word "the".

Mr. Greenamyre offered the following amendments, which were adopted:

Amend page 5, Sec. 7, lines 6, 7 and 8 by striking the words "assistance and moneys, donated, contributed, or allotted by any federal agency, by other states, or from any other source", and substitute therefor the words "only such state funds appropriated to it by the State of Nebraska".

That Section 8, page 6 be amended by striking the word ", to" in line one and insert the word "shall"; and by striking the comma after the word "act" in line 3 and insert a period. And strike the rest of the section after the word "act." in line 3.

Amend Section 7, lines 10 and 11 by striking the words "Moneys so received" and insert "All funds" and strike the words in line 14 "purpose for which received" and insert "provisions of this act".

Mr. Gantz offered the following amendment, which was adopted with 15 ayes, 10 nays, 18 not voting:

Amend Sec. 5, line 2 by striking the word "initiate,".

Mr. Neubauer renewed his motion to refer to E and R for review.

Mr. Greenamyre asked unanimous consent to lay the bill over until Monday, to retain its place on the file.

Objection was raised by Mr. Neubauer.

Mr. Greenamyre moved that the bill be laid over until Monday morning and retain its place on the board.

The motion prevailed with 15 ayes, 12 nays, 16 not voting.

Members Excused

Mr. Dooley and Mr. Hubka were excused from the session on Friday, February 19, 1943.

Adjournment

At 12:05 p. m. on motion by Mr. Foster the Legislature adjourned until Friday, February 19, 1943 at 10:00 a. m.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, February 19, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by The Reverend G. C. Robberson of Neligh.

The roll was called and all members were present except Messrs. Dooley, Hubka, Matzke and Reavis, who were excused.

The Journal for the Thirty-third Day was approved.

Communications

A letter was read from W. M. Smart, Chief Clerk of the House of Representatives of North Dakota, enclosing a copy of House Concurrent Resolution E of that body.

The resolution was read and referred to Committee on Agriculure.

A letter was read from Frank Bane, Executive Director of the Council of State Governments, setting out the three major problems confronting that organization at the present time.

On motion by Mr. Peterson, the letter was referred to the Committee on Agriculture.

The President announced that the letter from Mr. John Straka of Milford had been referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The following members introduced petitions: Speaker Crosby, one, favoring L. B. 41, L. B. 40 and L. B. 82; Mr. Lee, one, favoring the present law on taxation of aviation gasoline; Mr. Mischke, one, favoring an increase in old age assistance to a minimum of $35.00 a month.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce & Insurance

L. B. 332,	Tuesday February 23, 1943, 2:00 p.m.
L. B. 215,	Thursday February 25, 1943, 2:00 p.m.
L. B. 272,	Tuesday March 2, 1943, 2:00 p.m.
L. B. 400,	Tuesday March 2, 1943, 2:00 p.m.
L. B. 368,	Thursday March 4, 1943, 2:00 p.m.
L. B. 395,	Thursday March 4, 1943, 2:00 p.m.
L. B. 216,	Tuesday March 9, 1943, 2:00 p.m.
L. B. 217,	Tuesday March 9, 1943, 2:00 p.m.
L. B. 344,	Tuesday March 9, 1943, 2:00 p.m.

Government

L. B. 210,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 261,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 262,	Wednesday, March 3, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 146. Indefinitely postponed.

LEGISLATIVE BILL 38. Placed on General File.

(Signed) Raecke, Chairman.

Agriculture

LEGISLATIVE BILL 284. Placed on General File with amendments.

Standing Committee amendments to L. B. 284:

1. Amend the title to the bill, line 11, by adding after the word "Nebraska" the following: ", through the Director of the Nebraska Agricultural Experiment Station,".

2. Amend the bill, section 1, line 6, by adding after the word "which" the following: "sub-".

3. Amend the bill, section 2, line 1, by adding after the word "shall" the following: ", through the Director of the Agricultural Experiment Station,".

4. Amend the bill, section 3, line 2, by adding after the word "demonstrate" the following: ", principally under irrigation,".

5. Amend the bill, section 3, lines 3 to 6, inclusive, by striking the last word "the" in line 4 and all of lines 5 and 6 and substituting the following: "and to promote the general agricultural interests of the area."

6. Amend the bill, section 4, line 2, by striking the words "and livestock".

7. Amend the bill, section 4, lines 2 to 6, inclusive, by striking the last four words "used for the purchase" in line 2 and all of lines 3 to 6, inclusive, and substitute the following in lieu thereof: "applied to the running expenses and development of the sub-station."

8. Amend the bill, section 6, line 11, by adding after the word "acres" the following: ", with sufficient buildings for operation,".

9. Amend the bill, section 6, line 19, by striking the period after the word "expense" and adding the following: "and furnish an adequate supply of irrigation water throughout the growing season."

10. Amend the bill, section 6, line 22, by striking the words "not more than" and substituting in lieu thereof the word "of".

11. Amend the bill, section 6, line 22, by striking the period after the word "years" and adding the following: " , and shall contain a provision that the agreement may be extended at the option of the contracting parties."

LEGISLATIVE BILL 317. Placed on General File.

LEGISLATIVE BILL 351. Placed on General File.

(Signed) Neubauer, Chairman.

Banking, Commerce & Insurance

LEGISLATIVE BILL 115. Indefinitely postponed.

LEGISLATIVE BILL 48. Placed on General File with amendments.

Standing Committee amendments to L. B. 48:

Amend the printed bill by striking all of paragraph "(2)" of Section 1 and substituting in lieu thereof the following:

"Whenever fire, windstorm, or other casualty shall cause damage to any city or village, in excess both of two hundred dollars and fifty per cent of the insurance thereon, all taxes due any county or city, which are delinquent more than one year at the time of loss, shall be a lien on the proceeds of any such insurance. If such lien might apply, the insured shall furnish as part of his proof of loss a certificate or certificates showing whether or not there are such delinquent taxes, and if so, the amounts thereof by years, signed by the treasurers to whom such taxes are payable. The furnishing of such certificate shall be a condition precedent to suit on any such policy covering buildings or improvements within municipal corporations where loss in excess both of two hundred dollars and half of the insurance is claimed. The insurer shall have the right to repair or replace the building or improvement damaged or to pay such delinquent taxes and interest to the proper treasurer, and such lien shall thereby be discharged, or such lien may be waived by the county board or other taxing authority whenever they deem the public treasury will not lose thereby. The treasurer may include such waiver in certifying the tax status of the property as above provided. When applicable, the provisions of this section shall be deemed a part of all fire, windstorm or casualty insurance policies covering property in this state."

(Signed) Peterson, Chairman.

Enrollment & Review

LEGISLATIVE BILL 70. Placed on Select File with amendments.

E and R amendments to L. B. 70:

1. In the bill, title, 2nd line, insert a comma (",") after "Supp." and before "1941"; and in the 7th line, after the word "fund"; in the

4th line, after the word "that" and before the word "any", insert the word "whenever"; in the 5th line, strike the word "any"; in the 6th line, strike the word "which"; in the 8th line, strike the words: "may invest the excess", and in lieu thereof, insert the following: ", the governing body thereof may invest such surplus in such fund"; and in the 10th and 11th lines, strike the words "to invest", and in lieu thereof, insert: "by law to invest the educational funds of the state".

2. In the bill, Section 1, page 2, line 3, strike the following: "That whenever", and in lieu thereof, insert the following: "~~That, whenever~~ **Whenever**" ; in line 4, strike the word "any", and in lieu thereof, insert the word "~~any~~", and strike the word "subdivisions" at the end of said line, and in lieu thereof, insert: "~~subdivisions~~ **subdivision**"; and in line 13, underscore the word "subdivision" (shown as "subdivisions" in the printed bill) and insert, before said word, the word "~~subdivisions~~".

3. In the bill, Section 1, page 2, line 5, strike the comma (",") after the word "Nebraska", and in lieu thereof insert: "~~,~~"; and insert a comma (",") in the following places: Line 6, after the word **"fund"**; line 11, after the word "board"; line 14, after the word **"fund"** and also after the word **"needs"** .

4. In the bill, Section 2, page 2, line 2, strike the word "hereby" .

LEGISLATIVE BILL 89. Placed on Select File with amendments.

E and R amendments to L. B. 89: (For convenience, the line numbers of the title are taken from the substitute bill).

1. In the bill, title, 3rd line, after "taxation;" insert the following: "authorizing a county judge to require the filing of an inventory in an estate in duplicate or triplicate, for the purposes of this act;" , and after the word "prescribe", at the end of said line, insert the word "the"; and in the 5th line, after the word "for" and before the word "the", insert the following: "the amount due for taxes and the interest and penalty thereon, as prescribed herein, for" .

2. In the bill, title, 6th line, after the word "them" and before the semicolon, insert the following: " , the allowance thereof, as preferred claims against such estates and the duties of certain county officers in regard thereto"; and in the 8th line, before the word "years", insert the following: "taxing periods or taxable" .

3. In the bill, title, 11th line, after the word "interest" and before the word "at", insert the word "thereon"; in the 12th line, after the word "annum" and before the comma (","), insert the following: "from

the date or dates prescribed in this act"; and in the 12th and also the 13th lines, strike the word "on", at the end of each of said lines, and in lieu thereof, insert: "of the amount due on the" .

4. In Standing Committee amendment No. 1, page 2, line 5, strike the words **"his court"**, and in lieu thereof, insert: **"the county court of such county"**; in line 6, strike the word **"his"** and in lieu thereof, insert the word **"such"**; in line 11, strike the word "the", and in lieu thereof, insert: "The **the"**; in line 17, strike **";:"** and in lieu thereof, insert ":"; in line 32, after the word "year", insert the word **"the"**.

5. In Standing Committee amendment No. 1, page 3, line 47, after the word "estate", insert the following: **"of such deceased person,"**; in line 50, after the word "attorney", at the end of said line, insert the following: **"of such county notice thereof"**; and in line 51, strike the word **"notice"** and also the word **"thereof"** .

6. Insert a comma (",") in the bill, title, page 1, 7th line, after the word "property", and in the 9th line after the word "died". Insert a comma (",") in Standing Committee amendment No. 1, in the following places: line 18, after the word **"counties"**; line 21, after the figures **"1929"**; line 25, after the word "property"; line 39, after the word **"due"**; line 46, after the word "claim"; line 53, after the word **"allowed"** and also after the word **"proper"**; line 55, after the word "state"; and in line 57, after the word "property" and also after the word "purposes".

7. In Standing Committee amendment No. 1, strike the comma (",") in the following places: Lines 18 and 30, after the word **"assessor"**; line 47, after the word **"interest"** and line 49, after the word **"hearing"**.

LEGISLATIVE BILL 259. Placed on Select File with amendments.

E and R amendments to L. B. 259:

1. In the bill, title, 6th line, after "highways," and before the word "in", insert the following: "until March 1, 1945," .

2. In the bill, Section 1, page 2, line 2, after the word "upon" and before the word "request" insert the word "the"; and in line 4, after the word "authorized" insert the following: ", until March 1, 1945,".

3. Strike all of Section 2 of the bill and in Section 3, page 2, line 1, strike the figure "3" after "Sec." and in lieu thereof, insert the figure "2" .

Correctly enrolled

Legislative Bill 80	Legislative Bill 44
Legislative Bill 66	Legislative Bill 21

(Signed) James H. Anderson, Chairman.

President signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill 80	Legislative Bill 44
Legislative Bill 66	Legislative Bill 21

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. **Nebraska Geological & Water Survey.**

Referred to Committee on Agriculture.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 410. By Committee on Appropriations, H. G. Greenamyre, Chairman.

A bill for an act providing for the establishment of a central mailing office; providing all official mail of any state officer, state department, commission, board, bureau, court or other state agency in the capitol building in Lincoln, Nebraska, or in any state office building hereafter located adjacent thereto, shall be delivered commencing July 1, 1943, unstamped to mailing room to be metered and dispatched; providing that employees of any such office working away from the capitol building shall use metered mail so far as possible, consistent with postal regulations; providing for management and method of accounting; providing funds for payment of postage; providing for appropriation of money for the central mailing office; providing that Clerk of the Legislature may make such rules and regulations necessary to carry out purpose of this act; and to declare an emergency.

Mr. Tvrdik moved that the rules be suspended and that L. B. 410 be referred at once.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Referred to Committee on Appropriations.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL 35. With emergency clause.

A bill for an act to appropriate out of the Stock Brand Fund the sum of one thousand forty dollars for the Brand Book Fund; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Dooley
Hubka
Matzke
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 5. Passed over.

LEGISLATIVE BILL 20. Passed over.

LEGISLATIVE BILL 28.

A bill for an act relating to the powers of the board of regents of a municipal university established by any city of the metropolitan class; to empower such board of regents to provide benefits for and insurance of present and future employees and appointees of the university, payable upon retirement or death, under plans, rules and regulations determined by the board; to define who shall participate in such benefits; to prescribe the age of retirement; to limit the mutual contributions of the university, and its employees, to such plan; and to authorize such contributions to be supplemented by funds received from private gifts, in the case of existing employees.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 1: Garber.

Not voting, 9:

Dooley
Greenamyre
Hubka
Lee
Matzke
Mekota
Rakow
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 33.

A bill for an act to amend section 8-142, C. S. Supp., 1941, relating to Banks and Banking; providing that the board of directors of a bank shall, before declaring a dividend, transfer twenty per cent of its net profits, accumulated since the preceding dividend, to its surplus, until the surplus fund shall equal fifty per cent of its paid-up capital stock; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Jeffords
Jeppesen
Klaver
Mueller
Neubauer
Norman
Ogden
Peterson
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 6:

Carmody
Greenamyre
Heiliger
Lee
Mekota
Mischke

Not voting, 9:

Crosby
Dooley
Hanna
Hubka
Matzke
Osborne
Raecke
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 55. Passed over.

LEGISLATIVE BILL 67. With emergency clause.

A bill for an act to amend section 20-523, C. S. Supp., 1941, relating to legal newspapers; providing that the status of a legal newspaper suspending publication during the period while the United States is at war shall not be affected by such suspension, if publication is resumed under conditions prescribed, within six months after cessation of hostilities; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Dooley
Hubka
Matzke
Reavis
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 73. With emergency clause.

A bill for an act relating to manufacturing of synthetic rubber; to provide state aid to encourage the construction and operation of such plants in this state, using principally, in the manufacture of synthetic rubber, products of the kind generally grown on the farms of Nebraska; specifying the conditions for such state aid and the right of checking and inspection, by the Department of Agriculture and Inspection, to see that said conditions are complied with; providing such payment to be made out of the general fund of the state; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?'"

Voing in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Crossland
Cullingham
Doyle
Foster
Gantz
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Norman
Ogden
Osborne
Peterson
Raecke

Burnham
Carmody
Conklin
Craven
Crosby
Garber
Greenamyre
Gutoski
Hanna
Mekota
Mischke
Mueller
Neubauer
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Dooley
Hubka
Matzke
Reavis
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 86. With emergency clause.

A bill for an act to ratify the compact entered into by the states of Colorado, Kansas and Nebraska on December 31, 1942, relating to the Republican River; to repeal Chapter 92, Session Laws of Nebraska, 1941; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Dooley
Hubka
Matzke
Reavis
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 40. Mr. Osborne offered the following amendment, which was adopted by unanimous consent:

Immediately after Mr. Reavis' amendment to Section 5, add the following:

"Provided, however, that in any case where it shall be made to appear to the County Judge, in writing duly signed by some person, that the death of one of the parties is imminent, and that time will not permit the tests herein provided for, the County Judge may grant such license without such certificate of health."

Referred to E and R for engrossment.

LEGISLATIVE BILL 41. Mr. Thomas asked that the following amendment be adopted by unanimous consent:

(1) Amend Section 1, line 1, by inserting the words "or other person authorized by law to practice obstetrics who shall be" after the word "physician".

(2) Amend Sec. 1, line 13, by striking the general file amendment of Senator Mischke adopted on the 9th day of February, and by inserting the words "or obstetrics" after the word "surgery".

Objection was raised by Mr. Gutoski.

Mr. Thomas moved that L. B. 41 be referred to General File for the following specific amendments:

1. Amend Section 1, line 1, by inserting the words "or other person authorized by law to practice obstetrics who shall be" after the word "physician".

2. Amend the bill, Sec. 1, line 13, by striking the general file amendments of Senator Mischke adopted on the 9th day of February, and by inserting the words "or obstetrics" after the word "surgery".

Laid over.

Adjournment

At 12:10 p. m. on motion by Mr. Garber, the Legislature adjourned until 10:00 a. m. Monday, February 22, 1943.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, February 22, 1943

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Thirty-fourth Day was approved.

PETITIONS AND MEMORIALS

A copy of House Concurrent Resolution 1 of North Dakota was read, petitioning Congress to establish prices for agricultural products which will give to the farmer a return upon the basis of parity.

The following members introduced petitions: Mr. Rakow, one, regarding the trapping of beavers in Nebraska; Mr. Sorrell, one asking that the present law regarding precinct assessors be retained, opposing the present law regarding registration of births, endorsing L. B. 129, opposing a sales tax, opposing L. B. 251, opposing L. B. 293, opposing L. B. 43.

Communications

A letter was read from Mr. and Mrs. J E Conklin thanking the members of the Legislature for their expression of sympathy.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 410, Tuesday, March 2, 1943, 2:15 p.m.

Judiciary

L. B. 357, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 367, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 377, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 374, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 299, Friday, March 12, 1943, 2:00 p.m.
L. B. 318, Friday, March 12, 1943, 2:00 p.m.
L. B. 378, Friday, March 12, 1943, 2:00 p.m.
L. B. 328, Monday, March 15, 1943, 2:00 p.m.
L. B. 331, Monday, March 15, 1943, 2:00 p.m.
L. B. 333, Monday, March 15, 1943, 2:00 p.m.
L. B. 391, Monday, March 15, 1943, 2:00 p.m.
L. B. 364, Monday, March 15, 1943, 2:00 p.m.
L. B. 352, Wednesday, March 17, 1943, 2:00 p.m.
L. B. 363, Wednesday, March 17, 1943, 2:00 p.m.
L. B. 358, Wednesday, March 17, 1943, 2:00 p.m.
L. B. 396, Wednesday, March 17, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 355. Placed on General File with the following recommendation:

This bill has been correlated with L. B. 356. The original bill was not set up to conform to the rules of the legislature. The correlated bill has been made to conform to the rules and to correct some errors and omissions in the original bill, and to bring the language of the bill into closer accord with the report adopted by the National Association of Insurance Commissioners. The committee recommends that the correlated bill be placed on General File, that, in lieu of printing the correlated bill in the Legislative Journal as an amendment, the correlated bill be printed.

LEGISLATIVE BILL 356. Indefinitely postponed.

(Signed) Peterson, Chairman

Mr. Peterson moved that the Standing Committee report on L. B. 355 be adopted.

The motion prevailed.

PUBLIC WORKS

LEGISLATIVE BILL 194. Placed on General File.

LEGISLATIVE BILL 248. Placed on General File.

(Signed) Mischke, Chairman

Agriculture

LEGISLATIVE BILL 169. Placed on General File with amendments.

Standing Committee amendments to L. B. 169:

1. Amend page 2 of the bill, section 1, line 11, by adding after the punctuation following the word "thereto" the following additional matter: **"At least three out of four of the regular meetings of the board each year must be held in the State Capitol, and notice of the time and place of holding thereof must be given by publication in a daily newspaper of general circulation in the state at least ten days prior thereto. All meetings shall be open to the public."**

(Signed) Carmody, Vice Chairman

Government

LEGISLATIVE BILL 153. Placed on General File with amendments.

Standing Committee amendments to L. B. 153:

Amend Section 12, line 8, L. B. 153, by inserting after the word "municipality" the words "or by posting said notice in three conspicuous places in said municipality".

Amend Section 14, line 5, by striking the words "purposes therein set forth" and inserting in lieu thereof the words, "funds or expending agencies."

LEGISLATIVE BILL 19. Placed on General File.

LEGISLATIVE BILL 123. Placed on General File.

LEGISLATIVE BILL 112. Placed on General File.

LEGISLATIVE BILL 87. Indefinitely postponed.

LEGISLATIVE BILL 242. Placed on General File.

LEGISLATIVE BILL 126. Indefinitely postponed.

LEGISLATIVE BILL 326. Indefinitely postponed.

LEGISLATIVE BILL 172. Placed on General File.

LEGISLATIVE BILL 182. Placed on General File.

LEGISLATIVE BILL 54. Placed on General File with amendments.

Standing Committee amendments to L. B. 54:

1. Amend the title of the bill by striking all of said title after the first "to" in line 2 and inserting in lieu thereof the following: "amend section 77-1451, C. S. Supp., 1941, relating to itinerant merchant; to exempt from said act those using a motor truck, trucks or any other vehicle for the transportation, sale and delivery of grain and hay exclusive; and to repeal the original section.

2. Amend page 2 of the bill, section 1, by striking all of lines 1 and 2 after the words "Section 1.", and inserting in lieu thereof two new sections as follows:

Section 1. That section 77-1451, C. S. Supp., 1941, be amended to read as follows:

77-1451. The term "itinerant merchant" when used in this act, means every person, firm, partnership, corporation or association, receiver or trustee buying for the purpose of sale in any form or selling or offering to buy for the purpose of sale in any form or to sell in this state at wholesale or retail any goods, wares, merchandise or chattels of any description and transporting the same by the use upon any public highway of a motor truck or trucks or any other vehicle or vehicles, except as herein otherwise provided. Said term does not include those engaged in the business of transporting property by motor vehicle for hire or operating vehicles in such business as agents, employees, lessees, or contractors, and who do not own the cargo transported, or any interest therein and who do not act for any party in the acquiring, purchase, sale or disposition of the cargo transported. The term "itinerant merchant" shall not mean or include, and there shall be exempt from the provisions of this act the following: (a) Those using such vehicles for the transportation of grain fruits, vegetables, hay, livestock, or other agricultural products produced by them. (b) Those transporting products owned by them in vehicles owned by them or their agents or employees when such transportation, is an incident to a business conducted by them, and when such products are being transported to or from an established place of business owned by them. (c) Those using such vehicles for the transportation, sale and delivery at retail of any particular group of products having a common trademark, trade name or brand, as agents, employees or retail dealers of the manufacturers or wholesale distributors of such products through whom they market the same. (d) **Those using such vehicles for the transportation, sale and delivery of grain, and hay exclusive.** (e) Those using such vehicles for the purpose of hauling products for the use of the owner of such vehicle, or for the use of others where no charge is made made for the use of such vehicle, or those using vehicles in exchange of work. (f) Those using such vehicles exclusively within the limits of a city or village in this state, who are bona fide residents thereof.

Sec. 2. That original section 77-1451, C. S. Supp., 1941, is repealed.

LEGISLATIVE BILL 79. Placed on General File with amendments.

Standing Committee amendments to L. B. 79:

1. Amend line 1 of the title by striking the word "clerks" and inserting in lieu thereof the word "officers".

2. Amend line 3 of the title by striking the word "clerk" and inserting in lieu thereof the word "officer".

3. Amend line 4 of the title by inserting after the comma following the word "office" the following: "except a county attorney,".

4. Amend line 7 of the title by striking the word "clerk" and inserting the word "officer".

5. Amend line 7 of the title by inserting after the comma following the word "deputies" the following: "except a county atorney,".

6. Amend page 2 of the bill, section 1, line 1, by striking the word "clerk" and inserting in lieu thereof the word "officer".

7. Amend page 2 of the bill, section 1, line 2, by inserting after the comma following the word "office" the following: "except a county attorney,".

8. Amend page 2 of the bill, section 1, line 4, by striking the word "clerk" and inserting in lieu thereof the word "officer".

9. Amend page 2 of the bill, section 1, line 5, by inserting after the word "office" the following: "except a county attorney,".

10. Amend page 2 of the bill, section 1, line 11, by striking the word "clerk" and inserting in lieu thereof the word "officer".

(Signed) Doyle, Chairman

Enrollment and Review

Presented to the Governor for approval

L. B. 26,	Thursday, February 18, 1943 at 4:15 p.m.
L. B. 21,	Saturday, February 20, 1943 at 11:10 a.m.
L. B. 44,	Saturday, February 20, 1943, at 11:10 a.m.
L. B. 66,	Saturday, February 20, 1943 at 11:10 a.m.
L. B. 80,	Saturday, February 20, 1943 at 11:10 a.m.

LEGISLATIVE BILL 86. Correctly enrolled.

LEGISLATIVE BILL 25. Correctly re-engrossed.

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Bill 86.

Approved by Governor

February 19, 1943.

To the President, the Speaker,
and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed Legislative Bill 26.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

February 20, 1943.

To the President, the Speaker,
and Members of the Legislature:

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 21
L. B. 44
L. B. 66
L. B. 80

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor

RESOLUTIONS

LEGISLATIVE RESOLUTION 9. Opposing "war time".

Introduced by H. P. Heiliger, Ladd J. Hubka, Cliff N. Ogden, Sidney J. Cullingham, Arthur Carmody, Daniel Garber, D. S. Anderson, Frank Sorrell, Elmer C. Rakow, Earl J. Lee, Tony Asimus, A. J. Brodahl, Fred A. Mueller, Stanley A. Matzke, William A. Crossland, Louis M. Jeppesen, Ray Thomas, Joseph C. Reavis, William J. Norman, E. M. Neubauer, George C. Weborg, Carl P. Jeffords, Harry F. Burnham

WHEREAS, daylight working hours are a vital factor in the preparation and harvesting of crops, the feeding of farm animals, and the production of farm commodities, and

WHEREAS, laborers and office workers are, under the new war time, compelled to go to work, and children are compelled to go to school, during the winter months while it is still dark, with a consequent increase in the use of electricity;

WHEREAS, the new war time, since its establishment, has proved to be wasteful, rather than time saving;

THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

1. That the Congress of the United States is urged to repeal the act establishing war time, commonly known as daylight saving time.

2. That a copy of this resolution, suitably engrossed by the clerk, be sent to each Senator and Representative from Nebraska in the Congress of the United States.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 5.

A bill for an act relating to claims against the State of Nebraska; providing for the establishment of a Sundry Claims Board to receive and investigate claims against the state for the payment of which no moneys have been appropriated; prescribing the powers and duties of the Sundry Claims Board; prescribing the right, power and duty of the clerk of said board to issue subpoenas, compel the attendance of witnesses and the production of books, papers and documents and punish the disobedience of such subpoenas, the refusal of a witness to be sworn or testify and the failure to produce books, papers and documents, as contempt, in the same manner as are officers who are authorized to take depositions; and requiring a report to the Claims and Deficiencies Committee of the Legislature, upon all claims filed.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Gantz
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 12:

Asimus
Brodahl
Craven
Doyle
Foster
Garber
Heiliger
Mueller
Neubauer
Osborne
Rakow
Sorrell

Not voting, 1: Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 20.

A bill for an act to amend, until March 1, 1945, section 66-819, C. S. Supp., 1941, relating to transportation of motor vehicle fuels and petroleum products; changing the requirement that drivers of motor vehicles transporting motor vehicle fuels and other products, covered by this act, must be more than 21 and less than 60 years of age to more than 16 and less than 65 years of age; changing the number of hours that such drivers may be on duty, from 12 hours to 14 hours, in any 24-hour period, and the number of hours that such drivers must have off duty, for necessary rest, before returning to duty, from 12 hours to 10 hours; and to suspend the original section 66-819, C. S. Supp., 1941, and also sections 66-701 and 66-818, C. S. Supp., 1941, until March 1, 1945.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is "Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Cullingham
Dooley
Doyle
Foster
Hubka
Jeffords
Jeppesen
Klaver
Norman
Ogden
Peterson
Raecke

Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Osborne
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 55. Mr. Gantz moved that the bill be referred to Select File for the following Specific Amendment:

1. Amend lines 2 to 10 of the title by striking the word "the" in line 2, all of lines 3 to 9 inclusive, and the words "mentioned act" in line 10 and substituting the following in lieu thereof:

"of any sums required to be withheld by any law of the United States relating to internal revenue; to provide until March 1, 1945, for the withholding of such sums from the wages or salaries of any officer or employee of the state, any political subdivision thereof, any municipal corporation, or any public body or agency created by the laws of this state, the payment of the sums withheld, and the making of such records, reports and returns as are provided by any such internal revenue law, or the regulations promulgated thereunder; to provide a limitation date for the operation of this act; and to declare an emergency."

2. Amend page 2 of the bill by striking all of section 1 and inserting the following in lieu thereof:

"The state, any political subdivision thereof, any municipal corporation, or any public body or agency created by the laws of this state, is authorized, until March 1, 1945, (1) to withhold from any wages or salaries paid by it to any person, such portion thereof as may be required to be withheld by any law of the United States relating to internal revenue, (2) to pay the sum so withheld to the appropriate internal revenue collector at the time and in the manner provided by any such internal revenue law, and (3) to keep and make such records, reports and returns as are provided by such internal revenue law, or the regulations promulgated thereunder."

3. Amend page 2 of the bill by striking all of section 2.

4. Amend page 2 of the bill, section 3, line 1, by changing the number of the section to 2.

5. Amend page 2 of the bill, present section 3, line 3, by inserting after the punctuation following the word "state" the following:

"any municipal corporation, or any public body or agency created by the laws of this state."

6. Amend page 2 of the bill, section 4, line 1, by changing the number of the section to "3".

7. Amend page 2 of the bill, by adding a new section numbered 4 immediately following the new section 3 reading as follows:

"Sec. 4. This act shall continue in force until March 1, 1945, when it shall expire of its own limitation."

The motion prevailed with 37 ayes, no nays, 6 not voting.

LEGISLATIVE BILL 99.

A bill for an act to amend section 2-101, C. S. Supp., 1941, relating to the state fair; to provide that the holding of the state fair shall be optional with the State Board of Agriculture; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis

Carmody
Conklin
Craven
Crosby
Crossland
Greenamyre
Gutoski
Hanna
Heiliger
Mekota
Mischke
Mueller
Norman
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Neubauer
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 85.

A bill for an act to amend section 72-502, Compiled Statutes of Nebraska, 1929, relating to rentals from saline lands; providing that the rentals from saline lands accruing to the State of Nebraska shall be placed in the temporary instead of the permanent school fund; validating the use heretofore made, by the Board of Educational Lands and Funds, of rentals received from saline lands, in placing the same in the temporary, instead of the permanent school fund; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 83.

A bill for an act to amend section 27-505, Compiled Statutes of Nebraska, 1929, relating to terms of county court; to provide that the regular term of the county court shall commence on the first Monday of each calendar month and shall be open until the first Monday of the succeeding calendar month, when the next regular term shall begin; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 30.

A bill for an act to amend sections 71-3514 and 71-3519, C. S. Supp., 1941, relating to housing authorities; to extend the time in which the development of projects may be initiated by housing authorities to provide housing for persons engaged in national defense activities; also extending the time within which an allocation of funds, for the development of such a project, may be made; and to repeal said original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 42:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Anderson, D. S.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Washington Memorial Program

The Reverend L. L. Chambers presiding

LEGISLATIVE RESOLUTION 10. George Washington

Introduced by Harry E. Bowman of Adams.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-SIXTH REGULAR SESSION ASSEMBLED:

That upon this two hundred and eleventh anniversary of the birth of GEORGE WASHINGTON, we pause in our work to pay tribute to his memory.

But for him our country would not have won its independence, or established the union of states.

Unanimously selected as President to guide its destiny through its first trying years, he surmounted all impending difficulties. He skilfully avoided entangling alliances with any foreign state, and then deliberately returned to private life.

As a military leader and wise administrator, he stands above all other men of his time.

His high sense of integrity, order, justice and unwavering faith in an all-wise God, to whom he prayed for guidance, have established an illustrious example for all to follow.

The lawmakers of this state, in regular session on this his natal day, do hereby commemorate the life and achievements of GEORGE WASHINGTON, the father of our country,—first in war, first in peace, and first in the hearts of his countrymen.

Vocal solo	God Bless America Mrs. Betty Jo Graper

The Legislature paused for one minute in silent prayer.

Piano solo	Brahms Capriccio in G minor, Op. 116 Miss Barbara Payne
Address	Mr. John E. Mekota

Summary

In his speech, Senator Mekota reviewed the growth of the United States under the free government founded by Washington. He said that it was a miracle in the history of nations. He warned that, while we thrill with the phenomenal growth of the past, we may likewise be awe-stricken when we contemplate a similar expansion in future years. He cited Paris and Prague and Athens as examples of the fact that structures of stone, concrete and steel will not alone make a happy nation.

As our tangible physical structures expand and as we contemplate the growing complexity of our industrial, commercial and social life, we must give more and more attention to the intangible structure that we call our government. Like the sower on the Capitol tower, this intangible governmental structure will stand only so long as it is supported by a firm foundation. This government was built on the foundation of courage, patriotism, solicitude for fellow men, unselfish devotion and ideals in the hearts of the men who framed the Constitution, proclaimed the Declaration of Independence and won the battles in the War for Independence.

Mentioning our complaints at home, while the young man faces death on the battle field, he wondered if, perhaps, from this great distance, we view those battles now raging in Africa as great and glorious spectacles instead of war as it really is. The spirit of Washington carried to the front by our soldiers should be revived at home.

We should answer again with the patriotism and fervor of childhood: "Washington was the Father of our country". And then, each with humility should ask, "Am I a worthy son?"

Star Spangled Banner	By assembly

President Johnson presiding

Mr. Bowman moved that Legislative Resolution 10 be adopted.

The motion prevailed.

Upon motion by Mr. Greenamyre. the Legislature extended a rising vote of thanks to Mr. Mekota for his appropriate and inspiring address.

Mr. Foster moved that Mr. Mekota's address be printed in the Journal.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 55. Mr. Gantz moved that his Specific Amendment, found in this day's Journal, be adopted.

The motion prevailed.

Referred to E and R for engrossment.

LEGISLATIVE BILL 41. Mr. Thomas asked unanimous consent to withdraw his Specific Amendments, found in the Legislative Journal for the Thirty-fourth Day.

No objection was offered. So ordered.

Messrs. Thomas, Gutoski and Mischke offered the following Specific Amendments, which were adopted by unanimous consent:

Amend Section 1, page 2, line 1, by inserting after the word "physician" the following: "or other person authorized by law to practice obstetrics who shall be".

Amend Section 1, page 2, line 13, by adding after the word "surgery" the following: ", obstetrics".

Referred to E and R for engrossment.

LEGISLATIVE BILL 158. E and R amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 32. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 179. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 107. E and R amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Gantz offered the following amendments, which were adopted by unanimous consent:

1. In the bill, title, 7th line, after the semicolon and before the words "and to", insert the following:

> "validating all judgments and decrees, against such dissolved corporations, made or rendered prior to the effective date of this act, except under certain circumstances;"

2. In the bill, Section 1, page 2, strike the words and punctuation ", or if" in line 13, and all of lines 14 and 15, and in lieu thereof, insert the following:

"or, if no such assignee, trustee, receiver or person having charge of the assets of such dissolved corporation can be found, by leaving such a copy at the last usual place of business or office of such dissolved corporation. If no such assignee, trustee, receiver or person having charge of the assets of such dissolved corporation can be found, after diligent investigation and inquiry, and the action or proceedings is otherwise a proper one for service by publication, then service by publication may be had upon such dissolved corporation, as provided by law in such cases; Provided, however, that, before such service by publication, it be alleged in the petition or other pleading, or in the affidavit for service by publication, to be filed in such action or proceedings, substantially, that, after diligent investigation and inquiry, the assignee, trustee, receiver or person having charge of the assets of such dissolved corporation cannot be found in the State of Nebraska and that an order for such service by publication be made in such action or proceedings; and, provided further, that if any such dissolved corporation shall have been a party to any action or proceedings, prior to the effective date of this act, either with or without an allegation that it was either a corporation or a dissolved corporation, and even if such dissolved corporation was included only as an unknown defendant, but the provisions of the statutes of the State of Nebraska, with reference to the joining of unknown defendants, were substantially complied with, any judgment or decree, made or rendered against it therein, either as a known or unknown defendant, shall be conclusive against it unless proceedings to assert the invalidity of such decree or judgment shall be instituted in the proper court within one year after the effective date of this act, but this last provision shall not affect pending litigation."

Referred to E and R for engrossment.

Adjournment

At 12:08 p.m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, February 23, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Reavis, who was excused.

The Journal for the Thirty-fifth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Crossland, one, opposing "war time"; all members, one, opposing L. B. 204.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 353,	Monday, March 8, 1943, 2:00 p.m.
L. B. 362,	Monday, March 8, 1943, 2:00 p.m.
L. B. 384,	Monday, March 8, 1943, 2:00 p.m.
L. B. 385,	Monday, March 8, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 258. Placed on General File with amendments.

Standing Committee amendments to L. B. 258:

1. Amend the bill, page 2, section 1, line 8, by striking the word "or" and inserting in lieu thereof the word "and".

2. Amend the title of the bill, line 7, by striking the word "or" and inserting in lieu thereof the word "and".

LEGISLATIVE BILL 223. Placed on General File with amendments.

Standing Committee amendments to L. B. 223:

1. Amend section 1, line 4, by inserting after the word "proceedings" and before the word "may" the following words:

"referred to in the above numbered sections".

2. Amend the bill, section 1, by striking all of line 4 after the word "be" and all of lines 5 and 6 and the words and punctuation "case, a" in line 7, and inserting in lieu thereof the following:

"had before the county judge of the county where such person resides or may be found. A"

3. Amend the bill by striking all of section 2.

4. Amend the title by striking all matter after the punctuation following the word "estates" in line 2 and substituting the following in lieu thereof:

"to provide procedure for the examination of persons outside of the county where the estate of a deceased person is being administered with respect to money, goods or chattels of the deceased, and with respect to deeds, conveyances, bonds, contracts or other writings, which tend to disclose the right, title, interest or claim of the deceased to any real or personal property, or any claim or demand, or any last will and testament of the deceased; and to provide the effect of failure to appear for or to answer interrogatories upon such examination."

(Signed) Gantz, Chairman

Education

LEGISLATIVE BILL 236. Placed on General File.

LEGISLATIVE BILL 225. Placed on General File with amendments.

Standing Committee amendments to L. B. 225:

(1) Amend page 2 of the bill, section 1, line 4, by striking the word "twenty" and inserting in lieu thereof the word "forty".

(2) Amend page 2 of the bill, section 1, line 24, by adding after the period following the word "election", the following: "Provided, this act shall not apply to any county high school district where such county high school is the only twelve grade high school in the county."

(3) Amend page 2 of the bill, section 2, line 1, by inserting before the word "electors" the following: "legal school".

(4) Amend page 2 of the bill, section 2, lines 1 and 2, by striking the words "voting at such election", and inserting in lieu thereof, "residing within the district".

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL 178. Replaced on Select File with amendments.

E and R amendments to L. B. 178:

1. In the bill, title, line 2, insert a comma (",") before the figures "1941", and in Enrollment and Review amendment No. 3, line 9, strike:

"~~;~~ (c) Return ; and return", and in lieu thereof, insert: "~~;~~ ; (c) Return and return".

LEGISLATIVE BILL 40. Replaced on Select File with amendments.

E and R amendments to L. B. 40:

1. In the 1st line of the Select File amendment by Mr. Osborne, strike the words "Mr. Reavis' amendment" and in lieu thereof insert the following: "the 2nd legislature amendment by Mr. Reavis and Mr. Matzke".

2. In the 2nd legislature amendment by Mr. Reavis and Mr. Matzke, strike the period (".") at the end thereof, after the word "child" and before the quotation mark, and insert in lieu thereof, a semicolon (";").

3. In Enrollment and Review amendment No. 5, page 2, line 4, insert a comma (",") after "42-104".

Correctly engrossed

L. B. 61
L. B. 58
L. B. 57
L. B. 125
L. B. 45
L. B. 186
L. B. 84
L. B. 74

(Signed) James H. Anderson, Chairman

MOTION—To Reconsider Action

Mr. President. I move that we reconsider our action on Senator Hanna's motion to indefinitely postpone Legislative Bill 1.

(Signed) Brodahl

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Absent: Doyle, Klaver, Reavis.

Mr. Rakow moved to raise the call.

The motion was lost with 17 ayes, 16 nays, 10 not voting.

Mr. Klaver and Mr. Doyle appeared.

Mr. Hanna moved to raise the call.

The motion was lost with 19 ayes, 11 nays, 13 not voting.

Mr. Foster moved to raise the call.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Record vote was requested on Mr. Brodahl's motion.

Voting in the affirmative, 21:

Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crossland
Garber
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mueller
Neubauer
Osborne
Peterson
Raecke
Sorrell
Thomas
Weborg

Voting in the negative, 11:

Anderson, James H.
Crosby
Gantz
Greenamyre
Hanna
Lee
Mischke
Ogden
Rakow
Thompson
Tvrdik

Not voting, 11:

Anderson, D. S.
Burnham
Cullingham
Dooley
Doyle
Foster
Gutoski
Matzke
Mekota
Norman
Reavis

The motion was lost.

RESOLUTIONS

LEGISLATIVE RESOLUTION 9. Opposing "war time".

Mr. Heiliger moved that the resolution be adopted.

The motion prevailed with 31 ayes, no nays, 12 not voting.

SELECT FILE

LEGISLATIVE BILL 70. E and R amendments, found in the Legislative Journal for the Thirty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 89. Mr. Peterson moved that the rules be suspended and that the E and R amendments, found in the Legislative Journal for the Thirty-fourth Day, be adopted.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Mr. Mekota offered the following amendments, which were adopted by unanimous consent:

That standing committee amendment No. 1, be amended as follows:

1. On page 3, section 1, subdivision (3), insert the following at the end of such subdivision: **"This interest and penalty shall be in-**

cluded in the amount so certified to the county treasurer, as above provided."

2. In section 1, subdivision (4), page 3, strike all of line 48, after "**certified.**", and all of line 49 to 53, both inclusive, and insert, in lieu thereof, the following: "~~and the county judge shall allow the same as~~ **Claims so filed shall be received, examined, adjusted and allowed by the county judge in the manner provided for other claims by Article 6, Chapter 30, Compiled Statutes of Nebraska, 1929, and any claim so filed shall be a**".

3. Strike all amendments of the Enrollment and Review Committee, or parts of amendments, applying to the lines, or part of lines, so striken, by amendment 2 above.

4. That the emergency clause be added to the bill and the title.

Referred to E and R for engrossment.

Mr. Raecke presiding

LEGISLATIVE BILL 259. E and R amendments, found in the Legislative Journal for the Thirty-fourth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 130. Mr. Neubauer renewed his motion of the Thirty-third Day to refer to E and R for review.

Mr. Jeffords moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 12:

Burnham
Garber
Gutoski
Hanna
Jeffords
Matzke
Mekota
Mischke
Osborne
Raecke
Rakow
Reavis

Voting in the negative, 18:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Dooley
Doyle
Foster
Gantz
Heiliger
Lee
Neubauer
Peterson
Sorrell

Not voting, 13:

Crossland
Cullingham
Greenamyre
Hubka
Jeppesen
Klaver
Mueller
Norman
Ogden
Thomas
Thompson
Tvrdik
Weborg

The motion was lost.

Mr. Neubauer's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL 69. Mr. Crosby offered the following amendment, which was adopted:

Amend Sec. 1, line 13, by inserting after the word "may" the following words and punctuation: ", if the council or board of trustees so directs,".

Referred to E and R for review.

LEGISLATIVE BILL 82. Mr. James H. Anderson offered the following amendments, which were adopted:

1. Strike standing committee amendment 2 and insert the following in lieu thereof:

"Amend the title, line 4, by inserting after the semicolon following the word "men" the following: "to require that, before women may serve as jurors in district court in any county, the presiding district judge shall be required to certify that the accommodations and facilities of the courthouse of such county are such as to permit the service of women as jurors; to provide that jury service shall be compulsory with women, unless excused for good cause shown; to provide the manner in which women may be excused from jury service without reporting in person for jury duty;"

2. Strike section 7, as proposed by standing committee amendment 6 and insert in lieu thereof:

"Sec. 7. Any woman who desires to be excused from jury service may send, to the presiding judge of the court where her attendance as a juror is sought, a request in writing to be excused from such service, stating in detail her reasons therefor. Such request must be sent in time to reach the presiding judge of the court (1) at least three days before the jury is notified to report for duty, when more than five days intervenes between such time and the time she was served with notice to appear; and (2) in all other cases, at or before the time the jury is notified to report for duty. The presiding judge of such court shall immediately pass upon such request, and, if good cause is shown, shall cause to be entered a notation on the journal or docket of the court excusing her from jury service. Notification of the ruling of the court on her request for excuse from jury duty shall be given to the woman requesting same in such manner as the presiding judge of such court deems appropriate. Unless notified that she has been excused, the woman must report for jury duty at the time she was summoned to appear. Good cause for excuse from jury duty may be found to exist where: (1) A physical or mental condition exists, which might result in impairment of health if she was compelled to serve, or which would unduly embarrass her; (2) The conditions existing in her home are such as would work undue hardship upon her, or her family, to compel her to serve; or (3) Such other cause is shown as would be sufficient to warrant an excuse for men under similar circumstances."

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted as amended.

Mr. Lee offered the following amendments, which were adopted:

Amend Section 1, line 6 by striking the words "sixty-five" and inserting in lieu thereof the word "seventy":

Section 1, line 27, by striking the words "sixty-five" and inserting in lieu thereof the word "seventy".

Mr. James H. Anderson moved to refer to E and R for review.

Mr. Asimus moved to amend the bill. The motion was lost with 10 ayes, 18 nays, 15 not voting.

Mr. Anderson renewed his motion to refer to E and R for review.

Mr. Weborg moved to postpone indefinitely.

The motion was lost with 7 ayes, 28 nays, 8 not voting.

Mr. Anderson's motion prevailed.

Referred to E and R for review.

Adjournment

At 12:10 p.m. on motion by Mr. Tvrdik the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 24, 1943

Pursuant to adjournment the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Thirty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Doyle, one, regarding the shooting of sparrows and closing beer taverns; Mr. Sorrell, one, favoring L. B. 166; Mr. Conklin, one, favoring the practice of osteopathy; Mr. Crosby, one, opposing L. B. 253; all members, two, favoring the practice of osteopathy; one, favoring L. B. 228; two, opposing L. B. 253; one, favoring increased old age assistance.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. 195,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 329,	Wednesday, March 3, 1943, 2:00 p.m.
L. B. 184,	Friday, March 5, 1943, 2:00 p.m.
L. B. 315,	Friday, March 5, 1943, 2:00 p.m.
L. B. 316,	Friday, March 5, 1943, 2:00 p.m.

L. B. 229, Friday, March 5, 1943, 2:00 p.m.
L. B. 375, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 243, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 390, Wednesday, March 10, 1943, 2:00 p.m.
L. B. 205, Wednesday, March 17, 1943, 2:00 p.m.
L. B. 227, Wednesday, March 17, 1943, 2:00 p.m.
L. B. 334, Wednesday, March 17, 1943, 2:00 p.m.

Revenue

L. B. 373, Tuesday, March 9, 1943, 2:00 p.m.
L. B. 392, Thursday, March 11, 1943, 2:00 p.m.
L. B. 388, Thursday, March 18, 1943, 2:00 p.m.
L. B. 394, Thursday, March 18, 1943, 2:00 p.m.
L. B. 404, Thursday, March 18, 1943, 2:00 p.m.

Public Works

L. B. 337, Wednesday, March 3, 1943, 2:00 p.m.
L. B. 283, Wednesday, March 3, 1943, 2:00 p.m.
L. B. 408, Wednesday, March 3, 1943, 2:00 p.m.
L. B. 250, Friday, March 5, 1943, 2:00 p.m.
L. B. 379, Friday, March 5, 1943, 2:00 p.m.
L. B. 214, Friday, March 5, 1943, 2:00 p.m.
L. B. 325, Friday, March 5, 1943, 2:00 p.m.

Labor & Public Welfare

L. B. 343, Thursday, February 25, 1943, 8:00 p.m. (Continued.)
L. B. 185, Monday, March 1, 1943, 2:00 p. m. (Continued.)
L. B. 263, Monday, March 15, 1943, 2:00 p.m.
L. B. 277, Monday, March 15, 1943, 2:00 p.m.

Agriculture

Legislative Resolution 8, Tuesday, March 2, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 235. Indefinitely postponed.

LEGISLATIVE BILL 220. Indefinitely postponed.

LEGISLATIVE BILL 129. Indefinitely postponed.

LEGISLATIVE BILL 157. Placed on General File with amendments.

Standing Committee amendments to L. B. 157:

1. Amend the bill, section 1, line 25, by inserting after the word "annually" and before the word "in", the following words: "by a certified public accountant under his direction".

(Signed) Raecke, Chairman.

Government

LEGISLATIVE BILL 56. Placed on General File with amendments.

Standing Committee amendments to L. B. 56:

1. Amend the title after the word "ACT" by striking the balance of the title and inserting in lieu thereof the following:

> "to amend sections 55-401, 55-402, 55-403, 55-404 and 55-411, C. S. Supp., 1941, relating to the Nebraska State Guard; providing that the regulations prescribed may cover organization, standards of training and instruction; providing that the material that may be requisitioned or purchased by the Governor from the Secretary of War may include ammunition and clothing, and that the materials shall be purchased or requisitioned under regulations determined by the Secretary of War; providing that while in training the members of the Nebraska State Guard shall receive no compensation from the State of Nebraska; providing that the term of enlistment shall be three years; and to repeal the original sections."

2. Amend page 2 of the bill, section 1, line 1, by striking all of Section 1 and inserting in lieu thereof the following:

"Section 1. That section 55-401, C. S. Supp., 1941, be amended to read as follows:

55-401. Whenever any part of the national guard of the State of Nebraska is in active federal service, the Governor is hereby authorized to organize and maintain within this state during such period, under such regulations as the Secretary of War of the United States may prescribe for **organization, standards of training, instruction and** discipline ~~in training~~, such military forces as the Governor may deem necessary to defend this state. Such forces shall be composed of officers commissioned or assigned by the Governor, and such able bodied male citizens of the state as shall volunteer for service therein, supplemented, if necessary, by men of the reserve milita enrolled by draft or otherwise as provided by law. No one may be commissioned as an officer who has been convicted of a felony. Fingerprints of all officers and enlisted men shall be taken. ~~and forwarded to the federal bureau of investigation in Washington, D. C., for examination.~~ Such forces shall be additional to and distinct from the national guard and shall be known as the "Nebraska State Guard". Such forces shall be uniformed."

3. Amend page 2 of the bill, section 2, line 1, by striking all of Section 2 and inserting in lieu thereof the following:

"Sec. 2. That section 55-402, C. S. Supp., 1941, be amended to read as follows:

55-402. The Governor is hereby authorized to prescribe rules and regulations not inconsistent with the provisions of this act governing the enlistment, organization, administration, equipment, maintenance, training and discipline of such forces: Provided, such rules and regulations, insofar as he deems practicable and desirable, shall conform to existing law governing and pertaining to the national guard and the rules and regulations promulgated thereunder. ~~and shall prohibit the acceptance of gifts, donations, gratuities or anything of value by such forces or by any member of such forces from any individual, firm, association, or corporation by reason of such membership.~~"

4. Amend page 3 of the bill, section 3, line 1, by striking all of Section 3 and inserting in lieu thereof the following:

"Sec. 3. That section 55-403, C. S. Supp., 1941, be amended to read as follows:

55-403. When called into the active service of the state, such forces shall receive pay and allowances at the same rates prescribed by law for officers and enlisted men of similar rank and length of service in the United States Army. While in training at home station or engaged in other inactive services, such forces shall receive no compensation~~.~~ **from the state.**"

5. Amend the bill by adding Section 4 to read as follows:

"Sec. 4. That section 55-404, C. S. Supp., 1941, be amended to read as follows:

55-404. For the use of such forces, the Governor is hereby authorized to requisition or purchase from the Secretary of War of the United States such arms, **ammunition, clothing** and equipment as ~~may be in possession of and can be spared by the war department~~ **the Secretary of War in his discretion and under regulations determined by him, is authorized to issue;** and to make available to such forces the facilities of state armories and their equipment and such other state premises and property as may be available. Where state facilities are not available, grounds, armories and other buildings may be leased and maintained in the manner provided by law for the Nebraska National Guard."

6. Amend the bill by adding Section 5 to read as follows:

"Sec. 5. That section 55-411, C. S. Supp., 1941, be amended to read as follows:

55-411. No person shall be enlisted for more than ~~one year~~ **three years,** but such enlistment may be renewed. The oath to be taken upon enlistment in such forces shall be substantially in the form prescribed for enlisted men of the national guard, substituting the words "Nebraska State Guard" where necessary."

7. Amend the bill by adding Section 6 to read as follows:

"Sec. 6. That original sections 55-401, 55-402, 55-403, 55-404, and 55-411, C. S. Supp., 1941, are repealed."

(Signed) Doyle, Chairman.

Appropriations

LEGISLATIVE BILL 256. Placed on General File with amendments.

Standing Committee amendments to L. B. 256:

Amend the bill, page 1, title, line 12 by inserting after the word and punctuation "commission;" the following: "provided, nothing in this section shall be construed to apply to the fees inuring to the Nebraska Brand Inspection and Theft Prevention Fund;" - and, on page 2, section 1, line 14 of the bill, after the word "commission" and before the punctuation "." insert the following: **"; provided, nothing in this section shall be construed to apply to the fees inuring to the Nebraska Brand Inspection and Theft Prevention Fund".**

(Signed) Greenamyre, Chairman.

Enrollment & Review

Presented to Governor for approval.

L. B. 86, Tuesday, February 23, 1943, at 4:30 p.m.

LEGISLATIVE BILL 179. Replaced on Select File with amendments.

E and R amendments to L. B. 179:

1. Amend the bill, section 1, page 2, line 12, by striking the word "in", at the end of said line, for the reason same is repeated at the beginning of line 13. The printed bill shows the same correctly.

LEGISLATIVE BILL 180. Replaced on Select File with amendments.

E and R amendments to L. B. 180:

1. In the bill, Section 1, page 2, line 24, strike the comma after the word **"petition"**, at the end of said line.

2. In the bill, page 3, Section 1, line 48, strike the word "the", at the end of the line, and in lieu thereof, insert the word "the" .

LEGISLATIVE BILL 62. Placed on Select File with amendments.

E and R amendments to L. B. 62:

1. In the title, page 1, 4th line, after the semicolon (";") and before the word "providing", insert the following:

> "providing for the election of two trustees, for a term of one year, and three trustees, for a term of two years, at the first election after the incorporation of a village, and the number of trustees elected, for a two year term, at elections thereafter, which provision expressly is not to affect the number of trustees elected at any election, in villages now incorporated, as now established;"

and in the 5th line, after the word "deciding", insert the word "a", and after the word "on" insert the word "the" .

2. In the bill, Section 1, page 2, line 4, insert a comma (",") after the word "trustees" .

3. In the bill, Section 1, page 2, line 5, strike the following: ", two of whom", and in lieu thereof, insert the following: ", **. At the first election, held after the incorporation of a village, two** of whom **trustees"** .

4. In the bill, Section 1, page 2, line 6, strike the comma (",") after the word "year", and in lieu thereof insert: ",", and also strike the words "of whom" and in lieu thereof, insert the following: "of whom **trustees"** .

5. In the bill, Section 1, lines 9 and 10, strike the following: "At each alternate election, thereafter, **after the first,** two", and in lieu thereof, insert the following: "at each alternate **At the next election, and each second** election thereafter, two **trustees"** .

6. In the bill, Section 1, page 2, line 11, strike the word "three", and in lieu thereof, insert the following: "**at the second election, after the first election after such incorporation, and each second election thereafter,** three **trustees"** .

7. In the bill, Section 1, page 2, line 12, strike the period (".") after the words "years", and in lieu thereof, insert the following: " **, but this provision, however, shall not change, as to any village now established, the election at which such a village shall elect two trustees or at which it shall elect three trustees, as now established in such villages now incorporated."**

Correctly engrossed

L. B. 113	L. B. 110	
L. B. 163	L. B. 271	L. B. 75

Correctly enrolled

L. B. 5
L. B. 20
L. B. 28
L. B. 30
L. B. 33
L. B. 35
L. B. 67
L. B. 73
L. B. 83
L. B. 85
L. B. 99

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 5
L. B. 20
L. B. 28
L. B. 30
L. B. 33
L. B. 35
L. B. 67
L. B. 73
L. B. 83
L. B. 85
L. B. 99

SELECT FILE

LEGISLATIVE BILL 40. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 178. E and R amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

February 24, 1943.

To the President, the Speaker,
and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill No. 86.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 411. By Appropriations Committee, H. G. Greenamyre of Madison, Chairman.

A bill for an act to amend section 83-135, C. S. Supp., 1941, relating to the prohibition against purchase of butter subsitutes for specified state institutions by the Board of Control; to provide that oleomargarine, imitation butter or butter substitutes may be purchased when they contain at least fifty per cent animal fat; and to repeal the original section.

MOTION—To Suspend Rules and Refer

Mr. Greenamyre moved that the rules be suspended and that L. B. 411 be referred at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

LEGISLATIVE BILL 411. Referred to Committee on Appropriations.

GENERAL FILE

Mr. Greenamyre presiding

LEGISLATIVE BILL 162. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 165. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 140. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 213. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 211. Read and considered.

Mr. Gutoski offered the following amendment, which was adopted:

Add the following names as introducers to the bill:

Charles F. Tvrdik, Peter P. Gutoski, Sidney J. Cullingham and Sam Klaver of Douglas.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 3, page 4, line 17, by adding after the word "contributions" the following: " , without interest".

Referred to E and R for review.

LEGISLATIVE BILL 102. Read and considered.

Standing Committee amendments 2 to 11, inclusive, found in the Legislative Journal for the Thirty-first Day, were adopted.

Mr. Peterson offered the following amendments, which were adopted:

Strike Standing Committee amendments 1 and 12 and amend Section 2, page 3 by adding thereto a new sentence as follows: "None of the provisions of this act shall apply to cities with a population in excess of 40,000 which have adopted or which hereafter adopt a Home Rule Charter under and pursuant to Sections 2 to 5 inclusive of Article XI of the Constitution of this state".

Amend Section 23, page 17, line 19 by adding after the word "members" the following: "except cities with a population in excess of 40,000 which have adopted or which hereafter adopt a Home Rule Charter under Sections 2 to 5 inclusive of Article XI of the Constitution of this state".

Amend the title to conform.

Mr. James H. Anderson offered the following amendments, which were adopted:

Amend Section 1 by striking all of lines 5, 6, 7, 8, 9, 10, 11, and the words and punctuation "this act." in line 12.

Amend Section 2 by striking all of line 4 after the word and punctuation "members,", all of lines 5 and 6 except the words "and all".

Amend Section 4, subdivision 3, by striking the punctuation comma and the word "and" at the end of line 48, and the words "the American Red Cross" in line 49.

Laid over. Retains place on File.

President Johnson presiding

LEGISLATIVE BILL 106. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Mr. Mueller offered the following amendment:

That Sec. No. 2 be numbered Sec. 3, and the following numbered as Section 2: "This act shall continue in force until March 1945 when present law shall again be in effect."

Laid over. Retains place on File.

Member excused

Mr. Sorrell was excused from the session on Thursday, February 25, 1943.

Adjournment

At 11:58 a.m. on motion by Mr. Weborg the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, February 25, 1943

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sorrell and Mr. Norman, who were excused.

The Journal for the Thirty-seventh day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 339, Friday, March 5, 1943, 2:00 p.m.

L. B. 370, Friday, March 5, 1943, 2:00 p.m.

L. B. 342, Friday, March 5, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 166. Placed on General File with amendments.

Standing Committee amendments to L. B. 166:

1. Amend the bill, section 11, line 6, by striking the words "one hundred" and substituting in lieu thereof the word "fifty".

LEGISLATIVE BILL 406. Placed on General File with amendments.

Standing Committee amendments to L. B. 406:

1. Amend the title of the bill, line 5 by striking the word "forty" and inserting in lieu thereof the word "twenty".

2. Amend the bill, section 1, line 8 by striking the word "forty" and inserting in lieu thereof the word "twenty".

LEGISLATIVE BILL 381. Indefinitely postponed.

LEGISLATIVE BILL 340. Indefinitely postponed.

(Signed) E. M. Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL 133. Correctly engrossed.

LEGISLATIVE BILL 252. Placed on Select File with amendments.

E and R amendments to L. B. 252:

1. Strike Standing Committee amendment No. 2 and legislature amendment by Mr. Raecke, and in the bill, Section 4, page 4, strike the word "Any" at the end of line 7, and strike all of lines 8 to 11, inclusive, and in lieu thereof, insert the following:

"~~any~~ **Any** person, persons, ~~firms~~ **firm, association or corporation, including any** railroad company or other carrier, ~~or corporation~~, who shall violate any ~~other~~ provision of **section 54-160, C. S. Supp., 1941, as amended by section 3 of this act, or sections 54-161 to 54-168, inclusive, C. S. Supp., 1941, for which a specific penalty is not now provided for therein,** shall be deemed guilty of a misdemeanor~~,~~ and**,** upon conviction thereof, shall be fined **not less than fifty".**

2. In the bill, title, page 1, strike all of the 4th to 12th lines, inclusive, commencing with the word "inspection" and ending with the word "prescribe", and in lieu thereof, insert the following:

"inspection; to provide that the members of the Nebraska Brand Committee, other than the Secretary of State, shall be appointed by the Governor; to provide for the terms of office and the qualifications of members of the commission; to provide a change in the penalties provided for the violation of certain sections of the brand inspection act; to prescribe".

3. In the bill, Section 1, page 2, strike all in line 10, after the word "for", all of line 11, and all of line 12, with the exception of the words "who are actual", and in lieu thereof, insert the following:

"~~the~~ **in** section ~~1 (54-152) of this act.~~ **54-152, C. S. Supp., 1941.** ~~Only such~~ **The only** persons eligible **to be** appointed ~~shall be eligible to~~ **and** serve on such committee **shall be those**".

4. In the bill, Section 2, page 2, line 15, after the word "In" and before the word "event", insert the word "**the**".

5. In the bill, Section 3, page 3, line 3, strike the words "If any", and in lieu thereof, insert the following: "~~If any~~ **No**"; in line 5, after the word "or" and before the words "their agent", insert the following:

"**his, her, its or**", and strike the word "their", before the word "servant", and in lieu thereof, insert the word "~~their~~", and after the comma (",") and before the word "move", insert the word "**shall**"; in line 8, before the word "such", insert the word "**unless**", and strike the word "as" at the end of line 8, and the word "provided" at the beginning of line 9, and in lieu thereof, insert: "~~as provided~~"; in line 12, after the word "to" and before the word "owners", insert the following: "**the owner or**"; in line 22, strike the comma (",") after the word "**origin**", and at the end of said line, after the word "**county**", insert the word "**through**"; and in line 23 after the word "**pass**" strike the word "**through**".

6. Insert a comma (",") in the bill, in the following places: Section 1, page 2, line 14, after the word "brands"; Section 3, page 3, line 6, after the word "transport" and also after the word "manner", and in line 21, after the word "**section**".

LEGISLATIVE BILL 171. Placed on Select File with amendments.

E and R amendments to L. B. 171:

1. Strike legislature amendment No. 1 by Mr. Anderson, and in legislature amendment No. 5, by Mr. Anderson, insert the word "**a**" after the word "**at**" and before the word "**tax**".

2. In the bill, title, page 1, strike all of the 4th to 8th lines, inclusive, and in lieu thereof, insert the following:

"sale and conveyance of property, acquired by such district by purchase at a tax foreclosure sale, by a resolution duly adopted by the board of directors of such district; to provide that such property, so purchased by the district, shall not be sold for less than the amount bid for it by the district at the tax foreclosure" .

3. In the bill, Section 1, page 2, line 4, strike the words "acquired through", and in lieu thereof, insert: "~~acquired through~~ **by**"; in line 5, after the word "at" and before the word "tax", insert the word "**a**"; in line 8, strike the comma after the word "for" in the reinserted matter by legislature amendment No. 3, and in lieu thereof insert: "**;**"; in line 10, strike the word "and" before the word "acquire", and in lieu thereof, insert: "~~and~~"; in line 12, after the word "States" (reinserted by legislature amendment No. 3, by Mr. Anderson) insert the punctuation "**;**"; in lines 29 and 30, (reinserted by legislature amendment No. 3, by Mr. Anderson), strike the words "in validate", and in lieu thereof, insert the word "invalidate"; in line 33 (reinserted by legislature amendment No. 3, by Mr. Anderson) after "district," insert the word "**and**", after the word "upon", insert the word "**a**" , and after the word "with" and before the word "terms", strike the word "such", in lieu thereof, insert: "~~such~~ **the**"; on page 3, line 35, after the word "**the**", at the end of said line, insert the words: "**sale and**"; in line 36, insert the word "**a**" after the word "**by**" and before the word "**resolution**", and also in line 38, after the word "**at**" and before the word "**tax**" .

4. In the bill, Section 1, page 3, strike all of lines 39, 40 and 41, and in lieu thereof, insert the following:

"sale, the consideration, for the sale and conveyance of such property by the district, shall not be less than the amount bid for it by such district at the tax foreclosure sale."

5. Insert the punctuation (",") in the bill, in the following places: Section 1, page 2, line 3, after the word "property"; line 5, after the word "shall"; line 6, after the word "law", and also after the word "district"; line 18, after the word "places"; line 19, after the word "district"; line 31, after the word "made"; and line 34, after the word "district" .

Presented to Governor for approval

Wednesday, February 24, 1943, at 4:45 p.m.

L. B. 5
L. B. 20
L. B. 28
L. B. 30
L. B. 33
L. B. 35
L. B. 67
L. B. 73
L. B. 83
L. B. 85
L. B. 99

(Signed) James H. Anderson, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 268. Indefinitely postponed.

LEGISLATIVE BILL 118. Indefinitely postponed.

LEGISLATIVE BILL 191. Placed on General File with amendments.

Standing Committee amendments to L. B. 191:

1. Amend page 2 of the bill, section 1, by striking all of lines 7, 8, 9, and 10 and inserting the following in lieu thereof:

"to aid and enable such county civilian defense committee in carrying out and executing the civilian defense program and in the promotion, protection and preservation of the public health and safety within the county."

2. Amend the title by inserting a semi-colon after the word "undertake" in line 8, and striking all of lines 9 and 10, and the words "a termination date" in line 11.

LEGISLATIVE BILL 246. Placed on General File with amendments.

Standing Committee amendments to L. B. 246:

1. Amend the bill by striking all of section 1, after the word "specified" in line 17 and by inserting the punctuation "." after said word in line 17.

2. Amend the title of the bill by striking the words "and price" in lines 5 and 6.

(Signed) Foster, Chairman.

President signs

While the Legislature was in session and capable of transacting business the President signed

Legislative Resolution 9.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 412. By Appropriations Committee,
H. G. Greenamyre, Chairman

A bill for an act to appropriate the sum of $32,117.64 for the support of the Military Department of the State of Nebraska, including the Nebraska State Guard, as an emergency appropriation for the remainder of the current biennium ending June 30, 1943; and to declare an emergency.

Mr. Greenamyre moved that the rules be suspended and L. B. 412 be referred at once.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Referred to Committee on Appropriations.

SELECT FILE

LEGISLATIVE BILL 179. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 180. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 62. E and R amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 102. Referred to E and R for review.

LEGISLATIVE BILL 106. Laid over.

LEGISLATIVE BILL 141. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 389. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Mr. Hanna moved to refer to E and R for review.

Mr. Garber moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 16:

Asimus
Burnham
Carmody
Foster
Garber
Jeffords
Jeppesen
Lee
Mekota
Mueller
Neubauer
Osborne
Raecke
Thomas
Thompson
Weborg

Voting in the negative, 21:

Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Cullingham
Dooley
Doyle
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Matzke
Mischke
Ogden
Peterson
Reavis
Tvrdik

Not voting, 6:

Anderson, D. S.
Craven
Crossland
Norman
Rakow
Sorrell

The motion was lost.

Mr. Brodahl offered the following amendment, which was adopted:

Amend Section 1, page 2, line 7 by striking the words "thirty-six hundred dollars" and inserting therein the words "three thousand dollars".

Mr. Mueller offered the following amendment, which was adopted:

"This act shall be in force until March 1, 1945, then salary revert back to present salary."

Mr. Hanna renewed his motion to refer to E and R.

Record vote was requested.

Voting in the affirmative, 26:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Matzke
Mischke
Ogden
Peterson
Raecke
Rakow
Thomas
Thompson
Tvrdik

Voting in the negative, 12:

Asimus
Burnham
Carmody
Garber
Jeffords
Jeppesen
Lee
Mekota
Mueller
Neubauer
Osborne
Weborg

Not voting, 5:

Bowman
Craven
Norman
Reavis
Sorrell

The motion prevailed.

Referred to E and R for review.

Explanation of Vote

Mr. President: I voted against postponement of L. B. 389 for the reason that the introducers agreed to reduce the raise in salary if the bill was retained for further consideration.

(Signed) Greenamyre.

LEGISLATIVE BILL 221. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-first Day, were adopted.

Mr. Craven moved to amend Section 9. The motion was lost with 13 ayes, 17 nays, 13 not voting.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend Section 8, line 2, by striking the word "assistance" and insert the word "assistants".

Amend Section 18 by adding (4) in front of the word "The" in line 12.

Amend Section 15, line 5 by striking the word "Commission" and insert "Commissioner".

Referred to E and R for review.

Approved by the Governor

February 25, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. No. 5	L. B. No. 33	L. B. No. 99	L. B. No. 85
L. B. No. 20	L. B. No. 35	L. B. No. 67	L. B. No. 30

Respectfully submitted,
(Signed) Robt M. Armstrong
Secretary to the Governor

Members Excused

Mr. Carmody was excused for the remainder of the day and for Friday, February 26.

Mr. Burnham and Mr. Bowman were excused for Friday, February 26.

Adjournment

At 12:10 p.m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 26, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Bowman, Burnham and Carmody, who were excused.

The Journal for the Thirty-eighth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Messrs. Crossland, Greenamyre, Mischke, Rakow, Weborg, Mekota, Conklin and Garber, one, opposing the proposed code of civil procedure.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 376, Thursday, March 11, 1943, 2:00 p.m.
(Changed from March 16)

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 148. Indefinitely postponed with amendment.

Standing Committee amendment to L. B. 148:

1. Amend the bill, section 1, line 3, by striking the word "forty" and inserting in lieu thereof the word "twenty".

(Signed) Raecke, Chairman.

Agriculture

LEGISLATIVE BILL 168. Indefinitely postponed.

LEGISLATIVE BILL 289. Indefinitely postponed.

(Signed) Neubauer, Chairman.

Banking, Commerce & Insurance

LEGISLATIVE BILL 239. Placed on General File with amendments.

Standing Committee amendments to L. B. 239:

Amend Section 1, line 9, by striking the words "ninety days" and inserting in lieu thereof the words "six months"; and in line 11, by striking the words "thirty days" and inserting in lieu thereof the words "two months".

(Signed) Peterson, Chairman.

Education

LEGISLATIVE BILL 265. Placed on General File.

(Signed) Matzke, Chairman.

Enrollment & Review

LEGISLATIVE BILL 162. Placed on Select File.

LEGISLATIVE BILL 170. Placed on Select File with amendments.

E and R amendments to L. B. 170:

1. Amend legislature amendments Nos. 1 and 7, by Mr. Crossland, by inserting the punctuation "," after "17-156", and in amendment No. 2, first line, strike the figure "7" and in lieu thereof, insert the figure "8" .

2. In legislature amendment No. 6, by Mr. Crossland, first line, strike "page 2", and in lieu thereof, insert: "pages 2 and 3", and in the

first line of the inserted matter, after the quotation mark and before the word "That", insert the following: "Sec. 2."; in line 9, insert the following: **"or village,"**, at the end of said line; in line 15, after the word **"them"** and before the word **"fair"**, insert the following: **"to be"**; in line 20, strike the punctuation "," after the word **"quarterly"** and insert the punctuation "," after the word **"otherwise"**, and insert the punctuation"," in line 7, after the word "tax", in line 8, after the word "valuation", and line 18, after the word **"collected"** .

3. In the bill, Section 1, page 2, line 13, strike the words "and such", and in lieu thereof, insert the following: "~~and such~~ **which"; in** line 16, after the word **"them"** and before the word **"fair"**, insert the following: **"to be"**; and in line 21, strike the punctuation "," after the word **"quarterly"** .

4. In the bill, title, page 1, 8th line, after the word "sewer" and before the punctuation ";", insert the following: "; to provide for a lien for the charges therefor, upon the property served, and for the collection of such charges" .

5. In the bill, Section 1, page 2, insert the punctuation "," in the following places: line 6, after the word "inhabitants"; line 9, after the word "tax"; line 11, after the word "city", and in line 19, after the word **"collected"** .

LEGISLATIVE BILL 187. Placed on Select File with amendments.

E and R amendments to L. B. 187:

1. Strike all legislature and Standing Committee amendments and in lieu thereof, in the bill, Section 1, page 3, line 45, after the word 'purpose" and before the punctuation ".", insert the following:
"; Provided, it shall not be necessary, in order to acquire the necessary land therefor by lease, to submit the proposition of such acquisition by lease to the legal voters of such city; and provided further, that, where such acquisition is by lease, cities of the first class or cities of the second class may, without a vote of the legal electors, levy an annual tax, of not to exceed one mill on the dollar of the actual valuation of the taxable property within the corporate limits of such a city, for the purpose of leasing, improving and maintaining such an aviation field" .

2. In the bill, Section 1, page 2, line 3, strike the words: "That any", and in lieu thereof, insert the following: "~~That any~~ **Any."** .

3. In the bill, Section 1, page 2, strike the punctuation "," and in lieu thereof insert the punctuation ";" in line 4, after the word "class"

and in line 8, after the word "field"; insert the punctuation "," in the following places: line 5, after the word "lease"; line 9, after the word "improvements"; line 15, after the word "field"; line 16, after the word "city"; line 26, after the word "cast"; line 27, after the word "bonds"; line 28, after the word "bonds" and also after the word "provided"; line 31, after the word "may"; line 30, after the word "elsewhere"; line 32, after the word "bonds"; page 3, line 37, after the word "city". In the title, page 1, 6th line, insert the punctuation "," after the word "lease" and strike the punctuation "," after the word "class", in the 5th line.

4. In the bill, Section 1, page 2, line 17, strike the punctuation "," after the word "bonds" and before the quotation mark, and in lieu thereof insert: "~~,~~"; and after said quotation mark insert the punctuation "," .

5. In the bill, Section 1, page 2, line 27, strike the word "issue" and in lieu thereof, insert the following: "~~issue~~ **issuance**" .

6. In the bill, Section 1, page 3, line 43, after the word "of" and before the word "tax", insert the word **"a"** .

LEGISLATIVE BILL 55. Replaced on Select File with amendments.

E and R amendments to L. B. 55:

1. In legislature amendment No. 1 by Mr. Gantz, strike the word "of" at the beginning of the new matter provided for in the amendment, such word being already in the title; and strike the word "in" in the second line of said amendment, and in lieu thereof insert: "at the end of" ; strike: "; and to declare an emergency.", at the end of the new matter; strike the punctuation "," in the 5th line of the inserted matter, after the word "corporation", and also after the word "withheld", in the 6th line; insert the punctuation "," after the words "to provide" in the 2nd line of the new subject matter inserted.

2. In legislature amendment No. 2, by Mr. Gantz, 3rd line, after the quotation mark and before the word "The", at the beginning of said line, insert: "Section 1."; strike the punctuation "," in the following lines of the new matter inserted: 2nd line, after the word "corporation"; 3rd line, after the word "state", and 8th line, after the word "law"; insert the punctuation "," at the end of the 3rd line of the new subject matter, after the word "withhold" .

3. In legislature amendment No. 5, by Mr. Gantz, in the new matter inserted, strike the punctuation "," after the word "corporation", and strike the punctuation "." after the word "state", at the end of said

insertion, and in the bill, Section 2, formerly Section 3, line 2, after the punctuation "," and before the word "upon", insert the word "and" .

LEGISLATIVE BILL 89. Replaced on Select File with amendments.

E and R amendments to L. B. 89:

1. To comply with legislature amendment No. 4, by Mr. Peterson, strike the word "and", in the next to the last line of the title, and in the last line, after the word "section" and before the punctuation ".", insert the following:

"; and to declare an emergency"
and in the bill, add a new section, as follows:
"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 149. Placed on Select File with amendments.

E and R amendments to L. B. 149:

1. In Standing Committee amendment No. 1, after the quotation mark and before the word "persons", insert the following: **"as amended,"** and underscore all matter in quotation marks in said amendment.

2. In Standing Committee amendment No. 2, in the 3rd line of the new Section 3, after the word "pharmacy", insert the following:

"or an accredited department of pharmacy of a university"; in the 5th line, after the word "college" and before the word "which", insert the following: **"or a department of pharmacy of a university"**; and in the 10th line, strike the following: "in lectures and recitation, and", and in lieu thereof, insert the following: " of ~~instruction with not less than nineteen hundred hours in~~ lectures, **instruction** and recitation, ~~and~~ **including"** .

3. In the bill, Section 1, page 2, line 6, after the word "upon" and before the word "request", insert the word **"the"**; and in lines 16 and 17, strike the following: **"Soldiers and Sailors"**, and in lieu thereof, insert the following: **"Soldiers' and Sailors' "** .

4. In the bill, Section 1, page 2, line 19, strike the word "his" before the word "license", and in lieu thereof, insert: "~~his~~ **such a"**; in line 20, before the word "letter", insert the word **"a"**; in line 21, strike the word "his", before the word "last", and in lieu thereof, insert: "~~his~~

the", and in said line, after the word "residence", insert the following: **"of such licensee,"**; in line 23, strike the word "his", before the word "license", and in lieu thereof insert: "~~his~~ **such"**; in line 24, strike the word "him", after the word "advising", and in lieu thereof, insert ; "~~him~~ **such licensee"**, strike the word "his" before the word "failure", and in lieu thereof, insert: "~~his~~ **such"**, and strike the word "his" before the word "license", and in lieu thereof, insert: "~~his~~ **said"**; and in line 34, after the word "upon", insert the word **"the"**.

5. In the bill, Section 2, page 3, line 32, after the word "for", insert: **"such an"** .

6. In the bill, title, page 1, strike all of the title, commencing with "and 71-1804," in the 2nd line, and ending with "1941;" in the 12th line, and in lieu thereof, insert the following:

", 71-1804 and 71-1806, C. S. Supp., 1941, relating to public health and welfare; to relieve persons, licensed to practice the professions named in this act, from the payment of the annual renewal license fees, otherwise required, while actively engaged in the military service of the United States, as defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; defining an accredited school or college of pharmacy and an accredited department of pharmacy of a university; to provide that all applicants for examination, accepted by the Board of Examiners in Pharmacy, shall be graduates of an accredited school or college of pharmacy or an accredited department of pharmacy of a university, as so defined;"

7. In the bill, Section 1, page 2, insert the punctuation "," in the following places: line 5, after "months" and also after "indicated"; line 6, before "upon" and after "licensee"; line 19, after "license"; line 22, after "pay"; line 23, after "license"; line 24, after "license"; line 25, after "account"; line 27, after "that"; line 28, after "fee", and also after "dollar"; line 29, after "time"; line 31, after "fee"; line 34, after "same", and also after "provided"; in Section 2, page 3, line 25, after "pharmacist"; and line 26, after "section" .

LEGISLATIVE BILL 59. - Placed on Select File with amendments.

E and R amendments to L. B. 59:

1. In the first and third legislature amendments by Mr. Mekota, strike the new subject matter to be inserted, and in lieu thereof, in each amendment, insert the following: "~~less~~ **the** value ~~than~~ **of** one hundred dollars **or less"**, and in the 4th amendment by Mr. Mekota, 1st line, strike the figure "3" and in lieu thereof, insert: "4" .

2. In Standing Committee amendment No. 4, line 25, strike the

word **"in"**, and in lieu thereof insert: **"of"**; in line 26, strike the punctuation "," after the word **"incompetent"**; line 35, after the word **"deliver"**, insert the word **"either"**; line 36, strike the following: **"of investment and such money"**, and in lieu thereof, insert: **"or instruments of investment or such money or both"**; line 45, after the word "by", at the end of said line, insert: **"his or her"**; line 49, after the word "upon", at the end of said line, insert: **"the"**; line 62, strike the word "wards", and in lieu thereof, insert: "~~wards~~ **such ward"**.

3. In Standing Committee amendment No. 4 to the bill, insert the punctuation "," in the following places: line 20, after **"incompetent"**; line 21, after **"state"**; line 26, after **"or"**; and before **"if"**; line 31, after **"money"**; line 32, after **"incompetent"**; line 50, after "probate"; line 51, before "have"; and line 54, after "has" .

4. In the bill, title, page 1, insert the punctuation "," in the 6th line, after the word "incompetent" and in the 7th line, after the word "record"; also in Section 1, page 2, line 1, after "Supp.". Insert the punctuation "," in the bill, Section 1, page 2, line 10, after "America"; and in line 9, strike the word "or" after the word "bank", and in lieu thereof, insert: "~~or~~ ," .

5. In the bill, Section 1, page 2, line 7, strike the word "either", and in lieu thereof, insert: "~~either~~"; and in line 11, strike the word "authorize", and in lieu thereof, insert: "~~authorize~~" .

LEGISLATIVE BILL 196. Correctly engrossed.

(Signed) James H. Anderson, Chairman.

SELECT FILE

LEGISLATIVE BILL 252. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 171. E and R amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 106. Laid over. Retains place on File.

LEGISLATIVE BILL 177. Read and considered.

Mr. Raecke offered the following amendment:

Amend Section 1, lines 11 to 17 inclusive by striking all of subdivisions (c), (d) and (e) and reletter the remaining subdivisions.

Laid over. Retains place on File.

LEGISLATIVE BILL 116. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 366. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 97. Read and considered.

Speaker Crosby presiding

Mr. Peterson requested that Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, be adopted by unanimous consent; and that they then be subject to amendment as the original bill.

No objection was offered. So ordered.

Mr. Greenamyre offered the following amendment:

Amend Section 1, page 2, line 40 by striking all the words after "a capital gain" to and including the words "and determine" in line 42.

Laid over. Retains place on File.

Adjournment

At 12:05 p. m. on motion by Mr. Heiliger the Legislature adjourned until 10:00 a. m. Monday, March 1, 1943.

Hugo F. Srb
Clerk of the Legislature.

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 1, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Bowman and Mr. Rakow, who were excused.

The Journal for the Thirty-ninth Day was approved as corrected.

Invitations

A letter was read from the Omaha Chamber of Commerce extending an invitation to the members of the Legislature and their ladies to attend an informal dinner and dance at the Hotel Lincoln on the evening of Thursday, March 11, 1943.

A letter was read extending an invitation to the members of the Legislature, the Clerk, the assistant Clerk and the Sergeant-at-arms to attend the annual banquet of the Nebraska Press Association at the Lincoln Hotel, Friday, March 5, 1943, at 6:30 p.m.

Communications

The following letter was read and on motion by Mr. Mueller is printed herein:

March 1, 1943

Roy W. Johnson, President, and
Members of the Nebraska Legislature

Gentlemen:

The history of cities, states and nations is the story of men and women who take part in its activities. Natural resources make for the material development, but the evolution of ideals and the application of principles upon which government is established remains with its men and women.

At the fifty-third session of the Legislature, a resolution was unanimously adopted, authorizing the erection in Lincoln of a "suitable memorial" to General John J. Pershing, Nebraska's First Citizen now living.

It is apparent that now, in order to realize on the assets we have, the Regents of the State University should locate and allot the place for the Memorial on the University Campus.

Naturally, the activities that can be carried on under present conditions are limited, but owing to the great importance of reaching the objective in the long run, it would be obviously unwise to not keep the preliminary ground work plan and arrangements actively under way.

City Commissioners and City Councils, along with generous citizens of Nebraska, have greatly assisted the Pershing Memorial Commission in the present planning of the suggested Pershing Memorial in Lincoln, the Capitol City.

We present through you to the men and women of the State this historical pictorial review of the progress made to date by the Pershing Memorial Commission, and the proposed final objective for the Pershing Memorial on the University Campus.

Similar reviews are being sent to Franklin D. Roosevelt, President of the United States; to former President Herbert Hoover; to General John J. Pershing and members of his family; and to other notables.

Respectfully yours,
Pershing Memorial Commission
(Signed) Harry R. Follmer
Secretary.

PETITIONS AND MEMORIALS

A copy of Joint Resolution No. 5 of the Forty-first Session of the Legislature of Nevada was read, memorializing the Congress of the United States to amend the social security act to permit old-age pensioners to perform casual labor.

The following members introduced petitions from their constituents: all members, one, regarding the collection of delinquent taxes; all members, one, favoring L. B. 137.

REQUEST—For re-reference

Mr. Peterson asked unanimous consent to have L. B. 329 re-referred from Committee on Labor and Public Welfare to the Committee on Public Health and Miscellaneous Subjects, and that it be heard by the latter Committee on Wednesday, March 3, 1943 at 2:00 p. m.

No objection was offered. So ordered.

LEGISLATIVE BILL 329. Re-referred to Committee on Public Health and Miscellaneous Subjects.

Approved by the Governor

February 26, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 83 L. B. 28

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

MOTION—Spring Vacation

Mr. President: I move that when we adjourn on Wednesday, March 10, 1943, that we do not re-convene until 10:00 a. m. Monday, March 15, 1943.

(Signed) Reavis

Mr. President: I move that the motion of Senator Reavis on adjournment be amended by striking the words "Monday, March 15, 1943" and insert in lieu thereof the words "Tuesday, March 16, 1943".

(Signed) Lee.

Mr. Lee's amendment was adopted.

Mr. Reavis' motion prevailed.

MOTION—Method of Bill Drafting

Mr. Doyle brought up the matter of drawing amendatory bills and after discussion Mr. Crosby moved that Rule 12, Section 6 be referred to the Rules Committee for recommendations.

The motion prevailed.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 160, Friday, March 19, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 303. Placed on General File.

LEGISLATIVE BILL 237. Indefinitely postponed.

(Signed) Gantz, Chairman

Government

LEGISLATIVE BILL 68. Indefinitely postponed.

LEGISLATIVE BILL 409. Placed on General File.

LEGISLATIVE BILL 22. Placed on General File with amendments.

Standing Committee amendments to L. B. 22:

That line 12 following the word "bond" and punctuation ";" to line 20, inclusive, of the printed bill be stricken and that there be substituted therefor, the following:

Provided, that any surety bond so executed and approved shall contain a covenant to the effect that when ~~said bond shall have been surrendered by the obligee and delivered to the obligor, or its resident agent~~, **the stated term of the bond shall be reduced to a shorter term by reason of the death, resignation or removal from office of such official for a cause not imposing liability on his bond,** the obligor shall refund to the county the unearned portion of the premium so paid for the term of said bond, **subject to a reasonable minimum premium charge.**

LEGISLATIVE BILL 101. Placed on General File.

LEGISLATIVE BILL 175. Indefinitely postponed.

(Signed) Doyle, Chairman

Enrollment and Review

LEGISLATIVE BILL 180. Correctly engrossed.

(Signed) James H. Anderson, Chairman

Committee on Committees

Mr. President:

Your Committee on Committees begs leave to report that it has had under consideration the nomination of Robert T. Malone to the position of Director, Division of Placement and Unemployment Insurance, Department of Labor recommended confirmation.

Your Committee on Committees further submits the following:

By motion unanimously agreed to we report,

1. That the official information conveyed to the Nebraska Legislature in 1941 to the effect that the position of Mr. Malone must be placed under the Merit System in order to bring the Nebraska statute into compliance with the Federal requirements is now held to be erroneous.

2. That the legislature may leave that position within the Merit System or remove it therefrom at its discretion.

3. That confirmation of Mr. Malone's appointment does not alter that situation.

(Signed) Tvrdik, Chairman

Mr. Tvrdik moved that the report be adopted and that the appointment be confirmed by the Legislature.

The motion prevailed.

Vote on Mr. Malone

Voting in the affirmative, 31.

Anderson, D. S.
Anderson, James H.
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Hubka
Jeppesen
Klaver
Lee
Mekota
Mischke
Norman
Ogden
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 12:

Asimus
Bowman
Craven
Greenamyre
Heiliger
Jeffords
Matzke
Mueller
Neubauer
Osborne
Peterson
Rakow

Having received a majority of the votes of all members, the President declared the appointment of Mr. Malone confirmed.

Government

At a meeting of the Committee on Government held Friday, February 26th, 1943, Senator Jeppesen moved that the Committee on Government introduce a bill for the correction of the laws relating to elections. Motion seconded and carried. Vote: 6 ayes, no nays.

(Signed) Doyle, Chairman

Judiciary

Mr. President: I hereby report that the Judiciary Committee, by a vote of a majority of its members desire to introduce as committee bills L. B. 414 and L. B. 415.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 413. By Committee on Government, Doyle of Greeley, Chairman.

A bill for an act to amend sections 32-407, 32-409, 32-521, 32-904, and 32-915, Compiled Statutes of Nebraska, 1929, and 32-406 and 32-1203, C. S. Supp., 1941, relating to elections; to provide for filling of vacancies on election boards prior to all elections; to provide how members of election boards may be notified of their appointment; to provide who may excuse members of election boards from service; to provide by whom polling places shall be designated and provided; to provide that the canvass of votes by election boards shall not be open to the public; to provide the manner of preparation of the nonpolitical official ballot for all offices to be voted upon by such ballot; and to repeal original sections 32-407, 32-409, 32-521, 32-904, and 32-915, Compiled Statutes of Nebraska, 1929, and 32-406 and 32-1203, C. S. Supp., 1941, and also section 32-1207, C. S. Supp., 1941.

LEGISLATIVE BILL 414. By Judiciary Committee, Gantz of Box Butte, Chairman, by request.

A bill for an act to authorize the governing board of all lands of the State of Nebraska, except the Board of Educational Lands and Funds, and the governing boards of all cities, towns, counties, school districts and all other governmental subdivisions of the State of Nebraska, including public power districts, to lease lands under their control for oil and gas; to authorize such boards to enter into agreements for the pooling of acreage, or parts thereof, covered by such leases with other acreage; and declaring an emergency.

LEGISLATIVE BILL 415. By Judiciary Committee, Gantz of Box Butte, Chairman, by request.

A bill for an act relating to the leasing of school and public lands belonging to the state and under its control for oil and gas purposes; to authorize the Board of Educational Lands and Funds to make such leases and to promulgate rules and regulations in regard thereto; to authorize such board to enter into agreements for the pooling of acreage covered by such leases with other acreage; to amend sections 72-301, 72-302, 72-304, 72-306 and 72-308, Compiled Statutes of Nebraska, 1929; to repeal the original sections above mentioned and all other acts or parts of acts in conflict herewith; and to declare an emergency.

MOTION—To Suspend Rules and Refer

Mr. Gantz moved that the rules be suspended and that L. B. 413, L. B. 414 and L. B. 415 be referred at once.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Referred to Standing Committees

L.B.	Introducer	Committee Reference
413	Committee on Government John F. Doyle, Chairman	Government
414	Committee on Judiciary Harry E. Gantz, Chairman By request	Judiciary
415	Committee on Judiciary Harry E. Gantz, Chairman By request	Judiciary

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 25. With emergency clause.

A bill for an act to amend section 71-2416, C. S. Supp., 1941, relating to Vital Statistics; providing that the Department of Health shall, free of charge, make search for and furnish a certifed copy of any vital statistics record on file with the department, upon the request of the United States Veterans' Administration, or any lawful service organization empowered to represent veterans, to be issued for the welfare of any member or veteran of the armed forces of the United States or in the interests of his family in connection with a claim growing out of service in the armed forces of the nation; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Brodahl
Burnham
Dooley
Doyle
Foster
Gantz
Jeffords
Jeppesen
Klaver
Lee
Ogden
Osborne
Peterson
Raecke

Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Asimus
Bowman
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MESSAGE FROM THE GOVERNOR

Veto on L. B. 73

March 1, 1943.

Mr. President, Mr. Speaker and Members of the Legislature:

Gentlemen:

I am returning without my approval Legislative Bill 73, providing for the payment of a bonus of $10,000 to the person or firm constructing the first plant in Nebraska for the manufacture of synthetic rubber from Nebraska agricultural products. There is no question but that this bill is intended to serve a worthy purpose, but my judgment is that it is a waste of the taxpayer's money.

From the standpoint of helping the people of this state, there is as much reason to pay $10,000 to **every** firm constructing this kind of a plant as there is to pay this sum to the **first** firm. The use of agricultural products in industry is growing rapidly, but such plants will only come into Nebraska when they are proven to be economically sound and profitable over a long term of years. The payment of this $10,000 to one firm would not hasten this program.

The Legislature made a constructive move two years ago, providing for the chemurgy project, and the $10,000 appropriated in this bill could better be used now by adding it to the funds available for the further study of chemurgy, thereby assisting to accomplish the real purpose of this bill.

In my judgment the bonus paid for the development of the first oil well had nothing to do with the production of oil in this state, and I am told that the firm which collected the bonus did not know anything about it until they had started to drill the well.

The consideration of Legislative Bill 73 has assisted in bringing this entire subject to the attention of the people of Nebraska and has thereby served a worthy purpose, but I do not believe that the payment of a bonus would be a proper or worthwhile expense, and I am therefore declining to approve the measure.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

SELECT FILE

LEGISLATIVE BILL 162. Referred to E and R for engrossment.

LEGISLATIVE BILL 170. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment with 36 ayes, no nays, 7 not voting.

LEGISLATIVE BILL 55. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 89. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 149. Mr. James H. Anderson moved to suspend the rules and waive the reading of E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, and to adopt said amendments.

The motion was lost with 28 ayes, no nays, 15 not voting.

Mr. Gutoski moved that the Legislature reconsider its action.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Mr. Anderson's motion prevailed with 31 ayes, no nays, 12 not voting.

The amendments were adopted.

At the request of Mr. Ogden unanimous consent was granted to add the name "Harry A. Foster" as a co-introducer.

Referred to E and R for engrossment.

LEGISLATIVE BILL 59. E and R amendments, found in the Legislative Journal for the Thirty-ninth Day, were adopted.

Referred to E and R for engrossment.

Adjournment

At 12:00 m. on motion by Mr. Reavis the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 2, 1943

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow and Mr. Sorrell, who were excused.

The Journal for the Fortieth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Public Works

L. B. 131,	Wednesday, March 17, 1943, 2:00 p.m.

Judiciary

L. B. 414,	Friday, March 19, 1943, 2:00 p.m.
L. B. 415,	Friday, March 19, 1943, 2:00 p.m.
L. B. 331,	Monday, March 22, 1943, 2:00 p.m. (Changed from March 15)
L. B. 333,	Monday, March 22, 1943, 2:00 p.m. (Changed from March 15)
L. B. 364,	Monday, March 22, 1943, 2:00 p.m. (Changed from March 15)

L. B. 391,	Monday, March 22, 1943, 2:00 p.m. (Changed from March 15)
L. B. 328,	Monday, March 22, 1943, 2:00 p.m. (Changed from March 15)
L. B. 299,	Wednesday, March 24, 1943, 2:00 p.m. (Changed from March 12)
L. B. 318,	Wednesday, March 24, 1943, 2:00 p.m. (Changed from March 12)
L. B. 378,	Wednesday, March 24, 1943, 2:00 p.m. (Changed from March 12)

Appropriations

L. B. 411,	Monday, March 8, 1943, 2:15 p.m.
L. B. 412,	Monday, March 8, 1943, 2:45 p.m.

Government

L. B. 382,	Wednesday, March 17, 1943, 2:00 p.m.
L. B. 393,	Wednesday, March 17, 1943, 2:00 p.m.
L. B. 402,	Wednesday, March 17, 1943, 2:00 p.m.

Public Health and Miscellaneous Subjects

L. B. 243,	Wednesday, March 24, 1943, 2:00 p.m.
L. B. 375,	Wednesday, March 24, 1943, 2:00 p.m.
L. B. 390,	Wednesday, March 24, 1943, 2:00 p.m. (Reset—Formerly set for March 10, 1943)

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 206. Placed on General File.

(Signed) Gantz, Chairman

Education

LEGISLATIVE BILL 266. Placed on General File.

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL 178. Correctly engrossed.

(Signed) James H. Anderson, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 416. By Appropriations Committee,
H. G. Greenamyre of Madison, Chairman

A bill for an act to amend section 26-1314, C. S. Supp., 1941, relating to examination of the books, accounts, and affairs of county officers; to change the limitation as to the number and amount of salary of accountants that may be employed for that purpose by the Auditor of Public Accounts; to provide for the employment of one assistant to each accountant; to provide that the salaries of such assistants to accountants shall be fixed by the Auditor of Public Accounts; and to repeal the original section.

Mr. Greenamyre moved that the rules be suspended and that L. B. 416 be referred at once.

The motion prevailed with 30 ayes, no nays, 13 not voting.

LEGISLATIVE BILL 416. Referred to Committee on Appropriations.

MOTION—To Re-refer

Mr. Garber moved that the rules be suspended and that L. B. 147, on General File, be re-referred from Committee on Revenue to Committee on Appropriations.

The motion was lost with 25 ayes, 3 nays, 15 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 61.

A bill for an act to amend section 17-119, Compiled Statutes of Nebraska, 1929, relating to the powers of cities of the second class and villages; providing that before the city council or village board of trustees shall make any contract for any labor, except personal services, or for materials, repairs, work, building or improvement, which exceeds five hundred dollars in cost, an estimate of the cost thereof shall be made by the city or village engineer; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Hubka
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Doyle
Heiliger
Jeffords
Klaver
Rakow
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 58.

A bill for an act to amend section 8-309, C. S. Supp., 1941, relating to the investment of reserve and idle funds of building and loan associations; providing that any such association may invest its reserve funds, or any portion not immediately needed to carry out its functions, in specified securities; adding a provision that such association may make loans to its own members upon the terms and security provided for in sections 45-131 to 45-157, inclusive, C. S. Supp., 1941; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Osborne
Rakow
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 57.

A bill for an act to amend section 8-1,124, C. S. Supp., 1941, relating to Banks and Banking; changing the limitation upon the amount of salaries that may be paid to deputies, examiners, assistants, and attorneys, of the Department of Banking; making persons interested, in the ways specified, in any financial corporation, firm or company supervised by the Department of Banking, ineligible to be such deputies, examiners, attorneys or other assistants; and to repeal said original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Brodahl
Burnham
Cullingham
Dooley
Doyle
Gutoski
Jeppesen
Klaver
Lee
Matzke
Ogden
Peterson
Raecke
Reavis

Conklin
Craven
Crosby
Hanna
Heiliger
Hubka
Mekota
Mischke
Norman
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 15:

Asimus
Bowman
Carmody
Crossland
Foster
Gantz
Garber
Greenamyre
Jeffords
Mueller
Neubauer
Osborne
Rakow
Sorrell
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 125. With emergency clause.

A bill for an act to amend sections 81-915 and 81-924, C. S. Supp., 1941, relating to the manufacture and sale of frozen desserts; to provide for the ingredients of frozen desserts in conformity with necessity created by existing conditions of shortage of milk and of milk fats arising from causes over which the people of the State of Nebraska have no control; to reduce the requirements of ingredients until March 1, 1945; to repeal the original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 2: Craven, Osborne.

Not voting, 7:

Asimus	Gantz	Norman	Rakow
Crossland	Matzke		Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Return L. B. 45 to Select File

LEGISLATIVE BILL 45. Mr. Greenamyre moved that the bill be returned to Select File for the following Specific amendments:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

That the present Section numbered "3" be numbered "4".

Amend the title to conform to the above amendments.

The motion prevailed with 39 ayes, no nays, 4 not voting.

Replaced on Select File.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 186.

A bill for an act to correct the original plat of the city of Lincoln, Nebraska, and to authorize the Board of Commissioners for Educational Lands and Funds, designated by Section 1, Article VII of the Constitution of the State of Nebraska, to convey to the city of Lincoln, Nebraska, a municipal corporation, by quit claim deed, premises lying between First Street in the city of Lincoln, Nebraska, as originally platted, and the west boundary line of Sections Twenty-three and Twenty-six in Township Ten North, Range Six East of the Sixth P.M., Lancaster County, Nebraska.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Anderson, D. S.
Jeppesen
Osborne
Rakow
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 84.

A bill for an act to amend subsection 7, of section 79-104, C. S. Supp., 1941, relating to school districts; providing for the detaching of territory of a school district, when a stream of water makes it necessary for a child or children to travel more than five miles to attend school, either in his, her or their own district or any adjoining district in the same county, and attaching such territory to a school district in an adjoining county where the distance for such pupil or pupils to travel to school would be less than in their own district; prescribing the procedure therefor; providing the manner of levy and collection of taxes for school purposes on such attached territory; and to repeal the original subsection.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Norman
Ogden
Osborne
Peterson
Raecke
Reavis

Carmody
Conklin
Craven
Crosby
Garber
Greenamyre
Gutoski
Hanna
Matzke
Mischke
Mueller
Neubauer
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Mekota
Rakow
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 74.

A bill for an act to amend section 37-406, C. S. Supp., 1941, relating to game and fish; to provide for the passage of water over or through dams or other obstructions in order to preserve fish life; providing for the supervision of the enforcement of this act and investigation of all complaints made hereunder by the Game, Forestation and Parks Commission; to repeal the original section; and to provide a penalty.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Greenamyre.

Not voting, 4:

Hubka
Rakow
Reavis
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 409. Mr. Mekota moved that the bill be raised to the top of General File and considered forthwith.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Upon request by Mr. Mekota unanimous consent was granted to omit reading the entire bill.

Referred to E and R for review.

LEGISLATIVE BILL 106. Laid over. Retains place on File.

LEGISLATIVE BILL 177. Read and considered.

Laid over. Retains place on File.

LEGISLATIVE BILL 97. Laid over. Retains place on File.

LEGISLATIVE BILL 224. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Mr. Gantz offered the following amendment, which was adopted:

Amend Sec. 1, subsection 3, line 82, page 4, by striking the word "posed" and inserting in lieu thereof the word "posted".

Referred to E and R for review.

Visitor

Speaker Crosby introduced Mr. Jack Jones of Wales, author, playwright and emissary of the British people, who addressed the Legislature briefly.

Adjournment

At 12:00 m. on motion by Mr. Weborg the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 3, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, who was excused.

The Journal for the Forty-first Day was approved.

Communications

A letter was read from Congressman Karl Stefan acknowledging receipt of Legislative Resolution 9, opposing "war time".

NOTICE OF COMMITTEE HEARINGS

Labor & Public Welfare

L. B. 208,	Monday, March 22, 1943, 2:00 p.m.
L. B. 263,	Monday, March 22, 1943, 2:00 p.m.
L. B. 277,	Monday, March 22, 1943, 2:00 p.m.
L. B. 290,	Monday, March 22, 1943, 2:00 p.m.
L. B. 292,	Monday, March 22, 1943, 2:00 p.m.
L. B. 330,	Monday, March 22, 1943, 2:00 p.m.

Banking, Commerce & Insurance

L. B. 272,	Tuesday, March 16, 1943, 2:00 p.m. (Reset, Formerly set for March 2, 1943)

Revenue

L. B. 407, Thursday, March 18, 1943, 2:00 p.m.

L. B. 226, Tuesday, March 9, 1943, 2:00 p.m. (Changed from March 11)

L. B. 376, Tuesday, March 9, 1943, 2:00 p.m. (Changed from March 11)

L. B. 280, Thursday, March 18, 1943, 2:00 p.m. (Changed from March 11)

L. B. 335, Thursday, March 18, 1943, 2:00 p.m. (Changed from March 11)

Government

L. B. 382, Wednesday, March 10, 1943, 2:00 p.m.

L. B. 393, Wednesday, March 10, 1943, 2:00 p.m.

L. B. 402, Wednesday, March 10, 1943, 2:00 p.m.
(Originally set March 17, 1943)

STANDING COMMITTEE REPORTS

Labor & Public Welfare

LEGISLATIVE BILL 197. Placed on General File.

LEGISLATIVE BILL 185. Placed on General File.

LEGISLATIVE BILL 127. Placed on General File with amendments.

Standing Committee amendments to L. B. 127:

Legislative Bill 127 was amended by the Committee by striking from section 1, line 9 of the printed bill, the word "twenty" and inserting in lieu thereof the word "seventeen."

LEGISLATIVE BILL 81. Indefinitely postponed.

LEGISLATIVE BILL 156. Indefinitely postponed.

(Signed) Craven, Chairman.

Education

LEGISLATIVE BILL 267. Placed on General File with amendments.

Standing Committee amendments to L. B. 267:

1. Amend the title, lines 2 to 7, by striking all after the word "ACT" in line 2 down to the semi-colon in line 7, and substituting the following in lieu thereof:

"to provide for the transfer of land appearing, of record, to be a part of a certain numbered school district, but entirely separated from the body thereof by territory of another district or districts, to an adjoining district".

2. Amend page 2 of the bill, by striking all of section 1 and substituting the following in lieu thereof:

"Section 1. Whenever it shall be made to appear to the county superintendent of schools, by the petition of the owner, or owners, of any land appearing of record, to be a part of any designated school district, but such school district is entirely separated from the body of such land by territory of any other district, or districts, it shall be the duty of such superintendent, upon notice to the respective districts which may be affected, to make and enter an order transferring such land, by definite description, to the most conveniently located adjoining school district; and such superintendent shall thereupon file with the clerk and treasurer of the county a true copy of the order. Thereafter such land shall be subject to taxation, for school purposes, only in the district to which it is transferred."

LEGISLATIVE BILL 249. Placed on General File.

(Signed) Matzke, Chairman.

Appropriations

LEGISLATIVE BILL 410. Placed on General File.

(Signed) Greenamyre, Chairman.

Revenue

LEGISLATIVE BILL 232. Placed on General File with amendments.

Standing Committee amendments to L. B. 232:

1. Amend the title, lines 4 to 8 inclusive, by striking all matter after the semi-colon following the word "assistance" in line 4, and inserting in lieu thereof:

"to provide that a recipient of blind assistance shall not be subject to such tax; to provide that, until March 1, 1945, such per capita tax shall be increased to three dollars, and shall be imposed and levied on all persons over the age of twenty-one years, except those specifically exempted therefrom; to repeal the original section; and to declare an emergency."

2. Amend page 2 of the bill, section 1, by striking all of the new matter in lines 5 and 12 and restoring the stricken matter in lines 5, 6, 12 and 13.

3. Amend page 2 of the bill, section 1, line 6, by inserting a comma after the word "sane", and inserting the word **"who"** after the word "and" and before the word "is".

4. Amend page 2 of the bill, section 1, line 7, by inserting after the word "person" the words and punctuation **"or a recipient of blind assistance,"**

5. Amend page 2 of the bill, section 1, line 13, by inserting a comma after the word "sane".

6. Amend page 2 of the bill, section 1, line 14, by inserting after the word "person" the words **"or a recipient of blind assistance".**

7. Amend page 2 of the bill, section 1, line 19, by striking the punctuation "." and inserting in lieu thereof the punctuation ";", and then adding the words and punctuation:

"Provided, that until March 1, 1945, a tax of three dollars is imposed and shall be levied in the manner above provided upon every inhabitant of the State of Nebraska over the age of twenty-one years, who is sane, and who is not a public charge as a poor person or a recipient of old age or blind assistance."

LEGISLATIVE BILL 297. Placed on General File with amendments.

Standing Committee amendments to L. B. 297:

1. Amend the bill, page 2, section 1, lines 2 and 3, by striking the words and punctuation ", and the governing body of any municipality in this state,"

2. Amend the bill, page 2, section 3, line 3, by striking the words "and municipalities".

3. Amend the bill, page 3, section 3, line 17, by striking the words "and municipalities".

4. Amend the title, line 3, by striking the words "and the governing bodies of municipalities".

LEGISLATIVE BILL 60. Placed on General File with amendments.

Standing Committee amendments to L. B. 60:

1. Amend the title, line 2, by striking the word "section" and inserting in lieu thereof the word "sections", and also by inserting after the punctuation following the figures "66-411" the following: "66-405 and 66-416".

2. Amend the title, lines 5 to 11 by striking all of lines 5, 6, 7, 8, 9 and 10, and the words "of such fund" in line 11, and substituting the following in lieu thereof:

"to provide for the continuation of the excise tax of five cents per gallon on motor vehicle fuels; to provide for distribution of the tax collected; to provide that twenty per cent of the excise tax of five cents per gallon levied on the sale and use of motor vehicle fuels shall be credited to the State Assistance Fund".

3. Amend the bill, page 2, section 1, lines 8 and 9, by striking the words and punctuation "Until June 30, 1943, twenty" and inserting in lieu thereof the word "Twenty".

4. Amend pages 3 and 4 of the bill, lines 55 to 86 by striking the words "in any county" in line 55 and all of lines 56 to 86, inclusive.

5. Amend the bill, page 5, section 1, line 126, by striking the words "thirty-five" and inserting in lieu thereof the word "twenty".

6. Amend page 5 of the bill by adding two new sections after section 1, reading as follows:

"Sec. 2. That section 66-405, C. S. Supp., 1941, be amended to read as follows:

66-405. (1) Every dealer who is now engaged or who may hereafter engage, in his own name or in the name of others, or in the name of his representatives or agents in this state, in the sale, distribution and use of motor vehicle fuels, shall render and have on file with the Department of Agriculture and Inspection by the fifteenth day of each calendar month, beginning with the fifteenth day of the first month after this act shall become effective, on forms prescribed, prepared and furnished by said department ~~of agriculture and inspection~~, a sworn statement of the number of gallons of motor vehicle fuels, to be based on capacity of container, received, imported and unloaded and emptied by such dealer in the State of Nebraska, and the number of gallons of motor vehicle fuels produced, refined, manufactured, blended or compounded by such dealer with the State of Nebraska, during the preceding calendar month, defining the nature of such motor vehicle fuel which statement shall be sworn to by a resident of the State of Nebraska, who is a principal officer, general agent, managing agent, attorney-in-fact, chief accountant, or owner. **Such sworn statement shall be entitled to be received in evidence in all courts of this state and shall be prima facie evidence of the facts therein stated.** ~~and in~~

(2) In addition to the tax now provided for by law, **each dealer** shall at the time said statement is filed pay a tax of five cents per gallon upon all motor vehicle fuels, as shown by such statement, remitting said tax to said Department of Agriculture and Inspection, who shall receipt the dealer therefor, and pay to the State Treasurer, daily all of the money, drafts, checks, post-office money orders, express money orders or other mediums of exchange thus received. ~~Such sworn statement shall be entitled to be received in evidence in all courts of this state and shall be prima facie evidence of the facts therein stated.~~

(3) The Department of Agricuture and Inspection shall have authority to adjust all errors on payment, and to authorize refund of tax paid on motor vehicle fuel destroyed by fire or act of God, or used and consumed by the United States government or its agencies, and to authorize a refund equal to the per gallon tax imposed by this state on sales of motor vehicle fuels purchased by dealers in this state, on which tax was paid in this state, but such motor vehicle fuels were sold in a state other than Nebraska, and to issue vouchers therefor~~.~~ ; Provided, such dealers shall be entitled to a shrinkage of three per cent of the number of gallons, to be based on capacity of container, of motor vehicle fuels received or imported, produced, refined, manufactured, blended or compounded by him, as shown by such report, at the point where the car or container comes to rest or is unloaded within the State of Nebraska.

(4) If any such dealer neglects or refuses to file the return due for any month, or to pay the tax herein provided, due for any month, within the time prescribed for the filing of such return or the payment of such tax, as above provided, there shall automatically accrue a penalty equal to one half of one per cent on each gallon of motor vehicle fuel received or imported, and unloaded and emptied, produced, refined, manufactured, blended or compounded during the time for

which such dealer failed, neglected or refused to file the return or pay such tax, the amount of which penalty shall in no case be less than twenty-five dollars. If no motor vehicle fuel was received or imported and unloaded and emptied, produced, refined, manufactured, blended or compounded, a penalty of twenty-five dollars shall be assessed against such dealer for failure to make a return setting forth such fact~~;~~. ~~Provided, no~~

(5) **No** tax shall be collected from any person, firm or corporation bringing motor vehicle fuel into the state by barge or pipe line, or refining motor vehicle fuel in this state, unless or until said motor vehicle fuel is used at or shipped from the barge line or pipe line terminal of said barge line, or pipe line, or refinery, for consumption within the State of Nebraska, as the case may be~~;~~. ~~and provided further when~~ **When** such motor vehicle fuel is sold or delivered to a licensed dealer in this state he shall be considered the importer thereof and the tax shall be paid by him ~~;~~. ~~and provided further, that such~~ **Such** person, firm or corporation owning and operating such refinery, barge line terminal or pipe line terminal shall furnish a cash deposit or surety bond in the sum of fifty thousand dollars, executed by a surety company duly licensed and authorized to do business in the State of Nebraska, for each such refinery, barge line terminal or pipe line terminal within the State of Nebraska, said bond running to the State of Nebraska, and conditioned for the faithful performance of all obligations to the State of Nebraska, imposed by law upon said person, firm or corporation~~;~~. ~~and provided further, that such~~ **Such** person, firm or corporation shall make and file such verified reports of operations within said state as shall be required by the Department of Agriculture and Inspection of the State of Nebraska~~;~~. ~~and provided further, that the amount of the tax hereby imposed shall be reduced to four cents per gallon after June 30, 1943.~~

Sec. 3. That section 66-416, C. S. Supp., 1941, be amended to read as follows:

66-416. There is hereby levied and imposed an excise tax of five cents per gallon upon the use of all motor vehicle fuels, as defined by Chapter 66, Compiled Statutes of Nebraska, 1929, as amended, used in this state, except such motor vehicle fuels upon and as to which a tax of five cents per gallon is imposed and due the State of Nebraska under the provisions of ~~Sec.~~ **section** 66-405, C. S. Supp., ~~1939 as amended by section 1, legislative bill No. 70, fifty-fifth session, Nebraska state legislature,~~ 1941~~.~~ , **as amended by section 2 of this act.** Use of motor vehicle fuels subject to taxation under this section shall be allowed the same exemptions, deductions and rights of reimbursement as are authorized and permitted by **the section last above mentioned.** ~~Sec. 66-405, C. S. Supp., 1939, as amended by section 1, legislative bill No. 70,~~

fifty-fifth session, Nebraska state legislature 1941; Provided, that the amount of the tax hereby imposed shall be reduced to four cents per gallon after June 30, 1943."

7. Amend page 6 of the bill by striking the present section "2" and substituting a new section numbered "4", reading as follows:

"Sec. 4. That sections 66-411, 66-405, and 66-416, C. S. Supp., 1941, are repealed."

8. Amend page 6 of the bill, present section 3, line 1, by striking the figure "3" and inserting in lieu thereof the figure "5".

(Signed) Raecke, Chairman

Agriculture

LEGISLATIVE BILL 132. Placed on General File with amendments.

Standing Committee amendments to L. B. 132:

1. Amend the bill, section 1, line 3, after the word "plastics," strike all the printed matter in that section and insert in lieu thereof the following:

it shall be the duty of the Governor of Nebraska to direct the Auditor of Public Accounts to draw a warrant on the State Treasurer, in the sum of ten thousand dollars, payable to the person, firm or corporation who or which constructs, and puts into production, the first plant in this state for the manufacture of plastics, which shall, during the first year of its operation, produce twenty-five tons of such plastics, using principally, for the production thereof, products of the kind generally grown on the farms in Nebraska. Any person, firm or corporation, intending to claim the benefits of this act, is required to notify the Governor of Nebraska in writing, of such intention, not less than ten days before the commencement of production of such plastics, and is thereafter required to keep and submit for inspection, when requested, all contracts, purchase orders and invoices, during the said first year of operation, in order to show that such plastic is manufactured principally for products generally grown on the farms of Nebraska. The Department of Agriculture and Inspection shall have the right at all times to enter the premises, view the operations and inspect all contracts, purchase orders and invoices, in order to see that the conditions, imposed by this act, are being complied with by the person, firm or corporation intending to claim the benefits thereof. Such warrant shall be paid out of the general fund of the state.

2. Amend the bill by striking all the matter in line 2 of the title, after the word "plastics" and insert in lieu thereof the following:

to provide state aid to encourage the construction and operation of such plants in this state, using principally, in the manufacture of plastics, products of the kind generally grown on the farms of Nebraska; specifying the conditions for such state aid and the right of checking and inspection, by the Department of Agriculture and Inspection; to see that said conditions are complied with; providing such payment to be made out of the general fund of the state; and to declare an emergency.

LEGISLATIVE BILL 323. Indefinitely postponed.

LEGISLATIVE RESOLUTION 8. The majority of the committee voted in favor of it.

(Signed) Neubauer, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL 293. Placed on General File.

LEGISLATIVE BILL 332. Placed on General File with amendments.

Standing Committee amendments to L. B. 332:

1. Amend Section 1, line 10, by striking the word "resident".

2. Amend Section 1, line 11, by striking the words "this act" and inserting in lieu thereof the words "the laws of this state".

3. Amend Section 1, lines 18 and 19, by striking the words "and to pay interest thereon".

LEGISLATIVE BILL 233. Indefinitely postponed.

(Signed) Peterson, Chairman

Enrollment and Review

LEGISLATIVE BILL 46. Placed on Select File with amendments.

E and R amendments to L. B. 46:

1. In compliance with the legislature amendment by Mr. Greenamyre, in the bill, title, page 1, strike the words: "estates of" in the 3rd line, and all of the 4th to 13th lines, inclusive, and in lieu thereof, insert the following:

"the estate of a deceased person where the property of such estate is wholly exempt and not liable for the payment of the debts of such deceased person; to" .

2. Strike Standing Committee amendments Nos. 1, 2 and 3, and in the bill, Section 1, page 2, line 16, strike the words: "showing further that all", strike all of line 17, and in lieu thereof, insert the following:

"~~showing further~~ that all ~~of~~ said ~~real~~ property, ~~or~~ **including any interest** ~~and~~ **or** equity therein, is" .

3. In the bill, Section 1, page 2, line 14, strike the word "and", at the beginning of said line, and in lieu thereof, insert: "~~and~~" .

4. In the bill, Section 2, page 3, lines 17 and 18, strike the following: ", and the court shall further make", and in lieu thereof, show same as stricken matter; in lines 20 and 21, strike the following: "his death, the fact of his intestacy," and in lieu thereof, insert: "~~his~~ death, ~~the fact of his intestacy~~, **that such deceased died intestate**"; in line 22, strike the words **"is his will"** and in lieu thereof, insert: **", is the last will of the deceased"** ; and in line 23, strike the word "his", and in lieu thereof insert: "~~his~~", and also strike the words **"him and"**, in said line, and in lieu thereof insert: **"the deceased,"** .

5. In the bill, Section 2, page 4, line 24, strike the punctuation "," at the end of said line, and in lieu thereof, insert the word **"and"** ; in line 26, strike the words "And the", and in lieu thereof, insert the following: "~~and the~~ **The**"; and in line 32, strike the word "his", and in lieu thereof, insert: "~~his~~ **said**".

6. In the bill, Section 3, page 4, line 8, after the word "process" and before the punctuation "," (replaced in the bill by Standing Committee amendment No. 9), insert the following: **"and is liable for the debts of the deceased"** (to conform with Section 1) .

7. In the bill, Section 6 (formerly Section 7), page 5, line 2, insert the word "any" at the end of said line.

8. Strike the punctuation "," and in lieu thereof insert: "~~,~~" in the bill, Section 1, page 3, line 39, after the word "estate", and in Section 2, page 4, line 31, after the word "deceased"; and insert the punctuation

“,” in the bill, in the following places: Section 1, page 2, line 15, after the word **“both”**; line 7, after “decedent”; page 3, line 35, after “order”; line 37, after “notice”; line 41, after “weeks”; Section 2, page 3, line 3, after “petition”; line 7, after “evidence”; line 8, after “and”; line 21, after **“instrument”**; Section 2, page 4, line 28, after “person”; line 36, after **“property”** and also after **“thereof”**; Section 3, page 4, line 6, after “and”; insert the punctuation “,” in Section 4 (formerly Section 5), page 5, line 3, after “decree”; line 4, after “act”; line 5, after “court”; line 11, after “deeds”; line 12, after “situated”; Section 6 (formerly Section 7), page 5, line 5, after the word “and” and also after the word “end”.

LEGISLATIVE BILL 69. Placed on Select File with amendments.

E and R amendments to L. B. 69:

1. Strike legislature amendment by Mr. Raecke and in the bill, Section 2, page 2, line 14, strike: “; ~~and~~” (appearing in the printed bill as “~~;~~ ~~and~~”) and in lieu thereof, insert: “and”.

2. In the bill, Section 1, page 2, line 1, strike: “(1)”, and before the word “section” and after the word “That”, insert: “subsection (1) of”; strike all of line 3 up to and including the word “incomes”, and in lieu thereof, insert: “(1) All ~~incomes~~ **income**”; in line 4, strike the punctuation “,” after the word “waterworks” and in lieu thereof, insert: “~~,~~ **and**”; in line 6, strike the words “shall first” and in lieu thereof, insert: “~~shall first~~”; in line 7, strike the word “in” after the word “applied”, and in lieu thereof, insert: “ ~~in~~ **to**”, and strike the word “and” after the word “expenses”, and in lieu thereof, insert: “, ~~and~~”; in line 8, strike the words “used in” and in lieu thereof, insert: “~~used in~~ **the**”; in line 9, strike: ”, and”, and in lieu thereof, insert: “~~,~~ ~~and~~ ;” ; in line 13, after the word **“surplus”** and before the word **“may”**, insert the following: **“remaining, if any,”**.

3. In the bill, Section 2, page 2, line 8, strike the word “moneys”, and in lieu thereof, insert the word “money”; in line 12, strike the word “moneys” and in lieu thereof, insert: “~~moneys~~ **money**”; on page 3, line 30, strike the punctuation “~~;~~” and in lieu thereof, insert: “~~:~~”; in line 37, strike the word “fund” and in lieu thereof, insert: “~~fund~~ **funds**”; in line 43, strike the word “The” and in lieu thereof, insert: “~~the~~ **The**”; in line 49, strike the following: “then due, or electric light”, and in lieu thereof, insert: “~~then due, or electric light~~”; in line 50, strike the punctuation “,” after the word “due”, and in lieu thereof, insert: “~~,~~ **and**”.

4. In the bill, Section 3, page 3, strike all of line 1, after the word “original”, and in lieu thereof, insert: “subsection (1) of section 17-441,

C. S. Supp., 1941, and original section" , and in line 2, strike the word "hereby" .

5. In the bill, insert the punctuation "," in the following places: Section 1, page 2, line 10, after "surplus"; line 12, after "works"; Section 2, page 2, line 13, after "deposits"; line 18, after "preference"; line 19, after "them"; page 3, line 24, after the word "or" and also after "thereof" .

6. Strike the punctuation "," and in lieu thereof, insert: ";" in the bill, Section 1, page 2, line 11, after "bonds", and Section 2, page 3, line 24, after "Corporation".

7. In the bill, title, page 1, 2nd line, strike the following: "sections 17-441 (1) and", and in lieu thereof, insert: "subsection (1) of section 17-441, C. S. Supp., 1941, and section", and strike the 8th line, and in lieu thereof, insert: "subsection (1) of said section 17-441, C. S. Supp., 1941, and said original section 17-515, C. S. Supp., 1941." .

8. In the bill, Section 1, page 2, line 5, strike the word "or" after the word "rents" and in lieu thereof, insert: "~~or~~ ," , and in line 6, strike the punctuation "," after the word "fund", and in lieu thereof, insert: ";" . In Section 2, page 3, line 31, strike the word "When", and in lieu thereof, insert: "~~when~~ **When**" .

LEGISLATIVE BILL 116. Placed on Select File with amendments.

E and R amendments to L. B. 116:

1. In the bill, Section 1, page 1, line 1, strike the word "Sections" and in lieu thereof, insert: "That sections"; in line 3, strike the word "hereby", and lines 2 and 3 should be numbered "2" and "3", respectively.

LEGISLATIVE BILL 140. Placed on Select File with amendments.

E and R amendments to L. B. 140:

1. In the bill, Section 1, page 2, strike the word "of" at the end of said line, and all of lines 2 to 7, inclusive, and in lieu thereof, insert the following:

"or persons, of whom a bond, undertaking, obligation or other contract of suretyship is required, to agree with his, her or their surety or sureties for the deposit of any or all of the money and assets, for which such person or persons and such surety or sureties are or may be responsible, with a bank, savings bank, safe deposit or trust company or other depository, which is by law authorized to do business as such and is".

2. In the bill, Section 1, page 2, line 10, after the word "such" and before the word "manner", insert the word "a"; line 11, insert the punctuation "," after the word "assets"; line 12, strike the following: "sureties, or upon an order of court,", and in lieu thereof, insert: "surety or sureties or an order of the court"; line 14, strike the word "such", after the word "as" and before the word "court", and in lieu thereof insert the word "the", and at the end of said line, after the word "Such", insert the word "an".

3. In the bill, title, page 1, strike the words "and contracts" in the 2nd line, all of the 3rd and 4th lines, and the words "with depositories" in the 5th line, and in lieu thereof, insert the following:

", obligations and other contracts of suretyship; to make it lawful for any person or persons, of whom such a bond, undertaking, obligation or contract is required, to contract with such surety or sureties for the deposit of any or all of the money or assets, for which such person or persons and such surety or sureties are or may be held responsible, in a bank or other authorized and approved depository, herein designated, under the conditions and procedure herein provided".

LEGISLATIVE BILL 141. Placed on Select File with amendments.

E and R amendments to L. B. 141:

1. In the bill, Section 1, page 2, lines 2 and 3, strike the following: "there is appropriated and transferred from the Chemurgy fund", and in line 4, after the word "cents" and before the word "to", insert the following: "is appropriated and transferred from the Chemurgy fund".

2. In the bill, Section 1, page 2, line 8, strike the following: ", or", and in lieu thereof, insert: "for such purpose;"; in line 10, strike the word "then", after the word "effective", and in lieu thereof, insert: ", the said Auditor of Public Accounts is authorized and directed"; in line 11, after the word "to" and before the word "State", strike the word "the", and in lieu thereof, insert the word "said".

3. In the bill, Section 2, page 2, line 2, insert the punctuation "," after the word "credit" and also after the word "effective".

4. In the bill, title, page 1, 11th and 18th lines, strike the word "that"; in the 9th line, after the word "that", insert the punctuation

",", and also in the 17th line, after the word "that"; in the 12th line, after the word "be" insert the word "so"; in the 14th line, after the word "out of" insert the word "the"; in the 16th line, after the semicolon and before the word "to" strike the word "and"; and in the 19th line, after the word "up" and before the word "deficiency", strike the word "the" and insert the word "such" in lieu thereof.

5. In the bill, Section 1, page 2, lines 1 and 2, strike: "Real Estate Commissioner" and insert, in lieu thereof: "state real estate commissioner's"; line 5, strike "Commissioner", and in lieu thereof, insert: "commissioner's"; line 12, strike "Commissioner", and in lieu thereof, insert: "commissioner's"; in Section 2, page 2, line 11, strike "Commissioner", and in lieu thereof, insert: "commissioner's"; and in the title, 2nd and 3rd lines, strike: "State Real Estate Commissioner Fund", and in lieu thereof, insert: "state real estate commissioner's fund"; in the 7th and 21st lines, strike: "Commissioner" and in lieu thereof, insert: "commissioner's".

LEGISLATIVE BILL 152. Placed on Select File with amendments.

E and R amendments to L. B. 152:

1. In Standing Committee amendment No. 1, 1st line, strike the figure "8" and in lieu thereof insert the figure "9", and in the 3rd line, strike the words "notice and method of service", and in lieu thereof, insert: "a notice thereof to be given by publication and also to be served or posted, as prescribed".

2. In Standing Committee amendment No. 2, after the word "**and**" and before the word "**causing**", insert the following: "**also by either**", and after the words "**involved or**", strike the words" **by posting such written notice**", and in lieu thereof, insert: "**to be posted**".

3. Strike Standing Committee amendment No. 3, and in lieu thereof, in the bill, Section 1, page 2, line 10, strike the punctuation "." after the word "**repair**" and in lieu thereof, insert: " **;Provided, that no sidewalk longer than one hundred and fifty feet shall be so constructed in any one year.**"

4. In the bill, Section 1,. page 2, line 3, after "17-433." insert: "VI."; in line 4, after the word "**have**" and before the word "**power**" insert the word "**the**", strike the word "to" after the word "**and**", and in lieu thereof, insert: "To **to**"; in line 6, strike the punctuation "," and in lieu thereof, insert: " ;,"; in line 7, insert the punctuation "," after the word "**notice**", strike the word "**so**" after "**intention**", and after the words "**to do**" insert the following: "**so,**".

5. In the bill, title, page 1, 6th line, strike the words "as well as" and in lieu thereof, insert the word "or", and in the 7th line, strike the comma after the word "sidewalks".

LEGISLATIVE BILL 165. Placed on Select File with amendments.

E and R amendments to L. B. 165:

1. In the bill, Section 1, page 2, line 6, strike the following: ", and" after the word "oath", and in lieu thereof, insert: "~~,~~ ~~and~~ ;"; line 15, strike the punctuation ";" and in lieu thereof, insert: "~~;~~ ;"; line 23 after the word "such" insert the word "a".

2. In the bill, Section 1, page 2, insert the punctuation "," in the following places: Line 6, after "if"; line 7, after "examination"; line 11, after "dollars"; line 25, after "hearing"; line 29, after "recognizance"; line 30, after "dollars", at the end of said line; line 32, after "generally"; strike the punctuation "," in line 24 after the word "court" and in line 28, after the word "case".

LEGISLATIVE BILL 209. Placed on Select File with amendments.

E and R amendments to L. B. 209:

1. Strike Standing Committee amendment No. 1. Amend Standing Committee amendment No. 3 by striking the figures "12" after "Sec." and in lieu thereof insert the figures "13"; and in legislature amendment by Mr. Peterson, strike the figures "13" after "Sec." and in lieu thereof insert the figures "12".

2. In the bill, title, page 1, strike the 3rd line, and in lieu thereof, insert the following: "persons who are missing or whose whereabouts are and have been unknown, for at least ninety days, and persons who are and have been prisoners of war or"; and in the 5th line, after the word "war" and before the semicolon (";"), insert the following: ", for such time".

3. In the bill, Section 1, page 2, line 3, strike the comma (",") after the word "missing"; strike all of lines 4 to 24, inclusive, and in lieu thereof, insert the following:

"whereabouts is and has been unknown for at least ninety days or has been either a prisoner of war or a person detained or interned by any foreign power, incident to war, for at least ninety days, a verified petition may be presented to and filed in the county court of the county of which such person is a resident, by his wife or any of his family or friends, representing that his whereabouts has been for such time and still is unknown or that he is a prisoner of war or a person detained or interned by any foreign power, incident to war, for such time, that his estate requires attention, supervision and care of ownership and praying for the appointment of a suitable person as trustee, as herein provided; the county judge shall thereupon fix a time and place for the hearing thereof and cause notice of the same to be given by publication three successive weeks in such legal newspaper printed in the county as he may direct; if no such newspaper is published in such county, then notice shall be given as provided by section".

4. In the bill, Section 2, formerly Section 3, page 3, strike all in line 3, after the word "court", all of lines 4 to 14 inclusive, with the exception of the word "Jurisdiction" at the end of line 14, and in lieu thereof, insert the following:

"shall hear the petition and the evidence offered in support thereof or in opposition thereto and, if satisfied that the allegations of the petition are true and that such person remains missing or his whereabouts is and has been unknown or that such person is a prisoner of war or a person detained or interned by any foreign power, incident to war, any of such conditions having existed for ninety days prior to the filing of such petition, shall appoint some suitable person as trustee, to take charge and possession of such estate and manage and control the same under the direction of the said court."

and in line 16, strike the semicolon (";") after the word "act".

5. In the bill, Section 4, formerly Section 5, strike all in line 1, after the word "appointed", and all of lines 2 to 11 inclusive, and in lieu thereof, insert the following:

"as a trustee, under the provisions of this act, before he enters upon the execution of his trust and before letters shall be granted to him, shall give bond, running to the county judge, in such sum and with such surety or sureties as the county court shall direct and approve, with the same conditions as are generally required by statute in the case of an executor and with only such variations as may be necessary to make the conditions of said bond applicable to the appointment of a trustee. Such trustee shall also take an oath as such, in the form substantially the same as that provided".

6. In the bill, Section 5, formerly Section 6, page 3, line 1, strike the word "must", after the word "trustee", and in lieu thereof, insert the word "shall"; on page 4, line 2, strike the word "and", at the end

of said line; in line 3, after the word "rents" and before the word "income", strike the comma (",") and in lieu thereof, insert the word "and", and strike the following: ", and proceeds"; in line 5, strike the following: "thereof out of the trust funds, and pay", and in lieu thereof insert the word "and"; strike all of line 10, after the word "principal", and all of line 11, and in lieu thereof, insert the following:

"or income of the estate, as the court may, from time to time, determine to be reasonably necessary."

7. In the bill, Section 6, formerly Section 7, page 4, line 1, strike the word "must" after the word "trustee", and in lieu thereof, insert the word "shall"; in line 3, strike the following: ", and the", and in lieu thereof, insert the following: ". The"; and in line 4, strike the word "any" after the word "remove", and in lieu thereof, insert the word "such".

8. In the bill, Section 7, formerly Section 8, page 4, line 2, strike the word "any" at the end of said line; in line 4, strike the word "any", before the word "such"; in line 5, strike the word "to" after the word "being" and in lieu thereof, insert the word "for", and strike the word "any" at the end of said line; in line 6, strike the word "of" before the word "his" and also before the word "all"; in line 7, after the word "including" and before the word "devisees", insert the following: "actual or prospective"; strike all of line 8 and the word "procedure" in line 9, and in lieu thereof, insert the following: "creditors. The procedure, for the sale of such real property,"; in line 9, strike the word "now" before the word "provided"; in line 12, after the word "upon" and before the word "like", insert the word "a"; in line 14, strike the semicolon (";") after the word "debts"; and strike all of said section, after the word "estate", in line 17, and in lieu thereof, insert the following:

"and a license has been granted to the trustee, by the district court of the county where such trustee was appointed, upon the petition of the said trustee; the procedure for the trustee to mortgage the property of such missing person shall be substantially the same as that provided for by Article 12, Chapter 30, C. S. Supp., 1941, providing for mortgages of real and personal property by executors and administrators; and the procedure for the sale of personal property shall be substantially the same as that provided by Sections 30-1404 and 30-1405, Compiled Statutes of Nebraska, 1929, providing for the sale of personal property by executors and administrators."

9. In the bill, Section 8, formerly Section 9, page 5, line 2, after the word "upon" and before the word "application", insert the word "the"; and in line 6, strike the words "in cases of", and in lieu thereof, insert the word "by".

10. In the bill, Section 10, formerly Section 11, page 5, line 6, strike the figures "10", and in lieu thereof insert the figure "8".

11. In the bill, Section 11, formerly Section 12, page 5, line 4, strike the word "any" before the word "such"; and in line 5, after the word "died" and before the word "the", strike the word "at", and in lieu thereof, insert the following: "before or during".

12. Insert a comma (",") in the bill, in the following places: Section 2, formerly Section 3, line 17, after the word "letters"; line 18, after the word "trustee"; in Section 5, formerly Section 6, page 4, line 7, after the word "pay"; line 8, after the word "person"; line 9, after the word "money" and after the word "support"; in Section 7, formerly Section 8, page 4, line 1, after the word "trustee" and after the word "qualified"; line 15, after the word "person"; line 16, after the word "trustee"; in Section 8, formerly Section 9, page 5, line 5, after the word "law", line 6, after the word "administrators"; in Section 9, formerly Section 10, page 5, line 3, after the word "person" and also after the word "trustee"; in Section 10, formerly Section 11, page 5, line 1, after the word "If"; line 3, after the word "had"; line 5, after the word "accounting", and line 7, after the word "person" and also after the word "trustee".

13. Strike the comma (",") in the bill, in the following places: Section 3, formerly Section 4, page 3, line 3, after the word "be"; Section 5, formerly Section 6, page 4, line 4, after the word "him"; Section 6, formerly Section 7, page 4, line 4, after the word "trustee"; Section 7, formerly Section 8, page 4, line 3, after the word "person"; line 16, after the word "debts"; Section 8, formerly Section 9, page 5, line 4, after the word "trust" ; line 2, after "persons", and also strike the word "upon" in said line.

14. In Section 3, formerly Section 4, line 1, strike the word "must" and in lieu thereof insert: "shall"; and in Section 7, formerly Section 8, line 5, strike "county", and in lieu thereof, insert "proper"; and in line 13, strike: ", in case of sales".

15. In the title, 7th line, strike the word "for", and in the 8th line, after the word "therefor" and before the insertion of Standing Committee amendment No. 4, insert: "; providing for the sale and mortgage of real and personal property of such persons, under certain circumstances, and providing the procedure therefor".

LEGISLATIVE BILL 25. Correctly enrolled.

Correctly engrossed

L. B. 171
L. B. 252
L. B. 158
L. B. 70
L. B. 62
L. B. 32
L. B. 107
L. B. 259

(Signed) James H. Anderson, Chairman

LEGISLATIVE ADMINISTRATION

Monthly Report Legislative Expenditures

Officers' and Employees' Salaries For the Month of February, 1943

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Roy J. Becker	Asst. Clerk	24 da	8.00	192.00	7.00	185.00
J. W. Lundy	Sgt. at Arms	26 da	5.00	130.00	3.90	126.10
Clarence Linch	Asst. Sgt. at Arms	26 da	4.50	117.00	3.24	113.76
Martin L. Pedersen	Postmaster	24 da	4.50	108.00	2.80	105.20
Rev. L. L. Chambers	Chaplain	24 da	4.50	108.00	2.80	105.20
Mildred Faulkner	Sec'y to Lt. Gov.	24 da	5.00	120.00	3.40	116.60
Lyda Hafer	Journal Clerk	24 da	6.00	144.00	4.60	139.40
Barbara Payne	Asst. Journal Clerk	24 da	5.00	120.00	3.40	116.60
Hollis S. Thurber	Bookkeeper	(13 da	5.00			
		(11 da	5.50	125.50	3.67	121.83
Joseph J. Miller	Docket Clerk	7 da	4.50	31.50	.27	31.23
Clara C. Turbyfill	Engrossing Clk.	24 da	6.00	144.00	4.60	139.40
Juanita DeArmond	Asst. Engrossing Clk.	24 da	5.00	120.00	3.40	116.60
Marguerite Price	Comm. Clerk	1 mo	150.00	150.00	4.90	145.10
Jo Lacy Fisher	Comm. Clerk	24 da	5.00	120.00	3.40	116.60
Isabella M. Moore	Comm. Clerk	24 da	5.00	120.00	3.40	116.60
Patricia M. Anstine	Comm. Clerk	23 da	5.00	115.00	3.15	111.85

Marcella Allen	Comm. Clerk	24 da	5.00	120.00	3.40	116.60
Lorraine Schwenk	Comm. Clerk	23 da	5.00	115.00	3.15	111.85
Katherine Cannell	Comm. Clerk	24 da	5.00	120.00	3.40	116.60
Nellie Von Dorn	Comm. Clerk	26 da	5.00	130.00	3.90	126.10
Francis Henry	Comm. Clerk	22 da	5.00	110.00	2.90	107.10
Ruth Case Bordsen	Stenographer	23 da	5.00	115.00	3.15	111.85
Julia J. Bristow	Stenographer	24 da	5.00	120.00	3.40	116.60
Irma Campbell	Stenographer	24 da	5.00	120.00	3.40	116.60
Bertha Ann Daggett	Stenographer	21 da	5.00	105.00	2.65	102.35
Eunice France	Stenographer	23 da	5.00	115.00	3.15	111.85
Mary Belle Heasley	Stenographer	23 da	5.00	115.00	3.15	111.85
Gwenda Lee Holmes	Stenographer	23 da	5.00	115.00	3.15	111.85
Elaine Hopkins	Stenographer	23 da	5.00	115.00	3.15	111.85
Hazel McBride	Stenographer	24 da	5.00	120.00	3.40	116.60
Mary Morrison	Stenographer	24 da	5.00	120.00	3.40	116.60
Phyllis Smyth	Stenographer	23 da	5.00	115.00	3.15	111.85
Willalee Spelts	Stenographer	21 da	5.00	105.00	2.65	102.35
Rita Thornton	Stenographer	24 da	5.00	120.00	3.40	116.60
M. Alice Skiff	(Proof Reader	(64 hrs	.60			
	(Clerk	(4½ da	4.50			
	(Clerk	(2 da	4.00	66.65	.95	65.70
Delia Rankin	Office Asst.	24 da	5.00	120.00	3.40	116.60
Dorothy Scott-Glenn	Mimeo-Stencils	24 da	5.00	120.00	3.40	116.60
Robert Morbach	Page and Messenger	(9 hrs	.60			

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
	Page and Messenger	(12 da	4.00	53.40	1.17	52.23
Evelyn Jonas	Page and Messenger	21 da	4.00	84.00	1.60	82.40
Paula Storch	Page and Messenger	(10 hrs	.60			
		(22 da	4.00	94.00	2.10	91.90
Virginia Connelly	(Stenographer	(2 da	5.00			
	(Page and Messenger	(14 da	4.00	66.00	1.00	65.00
Marjorie Turner	(Page and Messenger	8 da	4.00	32.00	.30	31.70
G. F. Martin	Chief Bill Room Clerk	24 da	5.00	120.00	3.40	116.60
Aly E. Druesedow	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
Robert Obermiller	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
F. L. Gallagher	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
Gus E. Neumann	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
David D. Haney	Asst. Bill Room Clerk	22 da	4.50	99.00	2.35	96.65
L. G. Viox	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
G. H. Quackenbush	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
Edwin H. Franklin	Asst. Bill Room Clerk	24 da	4.50	108.00	2.80	105.20
Mike Gergen	Chief Custodian	1 mo	125.00	125.00	3.65	121.35
Dudley Wright	Asst. Custodian	24 da	4.00	96.00	2.20	93.80
O. J. Burckhardt	Asst. Custodian	24 da	4.00	96.00	2.20	93.80
Ernest Fouts	Asst. Custodian	6½ da	4.00	26.00	0.00	26.00
Grace Leavitt	Proof Reader	169½ hrs	.60	101.70	2.48	99.22
Orma Hull Kline	Proof Reader	169½ hrs	.60	101.70	2.48	99.22

Charles Blauvelt	Proof Reader	56 hrs	.60	33.60	.38	33.22
Elizabeth Sheehan	Telephone Attendant	24 da	4.00	96.00	2.20	93.80
E. J. Keogh	Cloak Room Attd't.	24 da	4.00	96.00	2.20	93.80
C. M. McGrath	Cloak Room Attd't.	1 mo	100.00	100.00	2.40	97.60
Clarence Davis	Legal Advisor E. and R.	1 mo	375.00	375.00	16.15	358.85
				$6918.05	$191.49	$6726.56

(Signed) Klaver, Chairman

Mr. Klaver moved that reading the report be dispensed with, since it would be printed in the Journal.

The motion prevailed.

President signs

While the Legislature was in session and capable of transacting business, the President signed Legislative Bill 25.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 113.

A bill for an act to amend sections 75-1106 and 75-1113, Compiled Statutes of Nebraska, 1929, relating to the crossing of public roads and highways and the use and appropriation of roads, highways and other public property for the plant, equipment or right of way of pipe lines; to provide for reasonable regulations and restrictions, in regard thereto, and by whom made; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 5:

Crossland
Cullingham
Mischke
Rakow
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 163. With emergency clause.

A bill for an act to amend section 33-110, Compiled Statutes of Nebraska, 1929, relating to fees and salaries; to fix the annual salaries of bailiffs appointed by judges of the district courts in counties having a population of more than sixty thousand inhabitants; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 1: Gutoski.

Not voting, 5:

Cullingham
Garber
Mischke
Rakow
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 110.

A bill for an act to amend sections 77-1915, C. S. Supp., 1941, and 77-1916, Compiled Statutes of Nebraska, 1929, relating to collection of personal property taxes; providing for the giving of notice of the amount of taxes to each taxpayer before delinquency; prescribing the time and manner of issuance and levy of distress warrants; providing for the partial payment of taxes to the sheriff, after a distress warrant has been issued and delivered to him; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been compiled with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Conklin
Cullingham
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 271. Laid over.

LEGISLATIVE BILL 75.

A bill for an act to amend section 55-140, C. S. Supp., 1941, relating to the militia; to remove the exception that the Adjutant General shall hold his office until he has reached the age of seventy years, and make the retirement age the same as other staff officers; changing the exception in the provision of this act that staff officers of the militia, including those particularly referred to, shall hold their positions until they have reached the age of sixty-four years, to include retirement prior thereto for cause as defined and provided for in Section 55-117, Compiled Statutes of Nebraska, 1929; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson D. S.
Anderson James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Conklin
Cullingham
Dooley
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Pass Bill Over Veto

Mr. President: I move that we do not concur in the Governor's report on L. B. 73, and that the same be passed over his veto.

(Signed) Mueller

Whereupon the president stated: "Shall the bill pass, notwithstanding the objection of the Governor?"

Voting in the affirmative, 26:

Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Foster
Gantz
Garber
Heiliger
Hubka
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 3:

Anderson D. S.
Dooley
Doyle

Not voting, 14:

Anderson James H.
Bowman
Cullingham
Greenamyre
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Ogden
Rakow
Reavis
Tvrdik

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed notwithstanding the Governor's veto.

SELECT FILE

LEGISLATIVE BILL 45. Mr. Greenamyre's amendments, offered on the Forty-first day, were adopted, by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 106. Passed over.

LEGISLATIVE BILL 177. Passed over.

LEGISLATIVE BILL 97. Mr. Greenamyre withdrew his amendment offered on the Thirty-ninth Day.

Mr. Greenamyre offered the following amendments:

Amend Committee amendments (found in the Legislative Journal for the Thirty-second Day) page 2, Section 1, by inserting after the word "sold" and before the word "shall" in line 38, the words "less accrued interest", and by striking the words commencing with "and" after the word "gain" in line 40, down to and including the word "determine" in line 42.

Mr. Conklin moved that L. B. 97 be made a Special Order for 11:00 a.m. Monday, March 8, 1943.

The motion prevailed.

LEGISLATIVE BILL 154. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 177. Mr. Raecke renewed his motion of the Thirty-ninth Day to amend.

The motion prevailed with 24 ayes, 6 nays, 13 not voting.

The amendment was adopted.

Referred to E and R for review.

MOTION—Re-reference of Bills

Mr. President: I move that Rule 15 be suspended to allow the Reference Committee to re-refer bills, subject to approval

(1) of Chairman of Committee to whom bills are taken,

(2) of Chairman of Committee to whom bill is considered being referred,

(3) of the introducer.

(Signed) Gantz

The motion prevailed with 36 ayes, no nays, 7 not voting.

MOTION—To Shade Windows

Mr. President: I move that some material be placed on the windows at the south side of the legislative chamber to keep out the sunlight.

(Signed) Cullingham

The motion prevailed.

Recess

At 12:10 p.m. on motion by Mr. Tvrdik the Legislature recessed until 5:00 p.m.

After Recess

The Legislature reconvened at 5:00 p.m. President Johnson presiding.

The roll was called and all members were present except Messrs. Bowman and Gutoski, and except Messrs. Brodahl and Rakow who were excused.

Reference Committee Report

The President reported that the following bills had been re-referred:

L. B. 328 from Committee on Judiciary to Committee on Agriculture
L. B. 331 from Committee on Judiciary to Committee on Agriculture
L. B. 374 from Committee on Judiciary to Committee on Agriculture
L. B. 335 from Committee on Revenue to Committee on Agriculture

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 328, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 331, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 374, Tuesday, March 9, 1943, 2:00 p.m.

L. B. 335, Tuesday, March 9, 1943, 2:00 p.m.

328, 331 and 374 re-referred from Committee on Judiciary

335 re-referred from Committee on Revenue

Appropriations

L. B. 416, Tuesday, March 9, 1943, 2:15 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 264. Placed on General File with amendments.

Standing Committee amendments to L. B. 264:

1. Amend the title, lines 3 to 6, by striking the words "to provide what educational lands may be sold for and to whom; to provide for condemnation proceedings" and substituting in lieu thereof the following:

"to provide that educational lands may be acquired through the exercise of eminent domain proceedings, for certain special purposes; to provide the method of condemnation".

2. Amend page 2 of the bill, section 1, lines 3 to 5, by restoring the following matter shown as stricken:

"No lands now owned or hereafter acquired by the state for educational purposes shall be sold except at public auction."

3. Amend page 2 of the bill, section 1, line 6, by striking the word "Educational" and substituting the following in lieu thereof:

"~~educational~~ **Educational**"

4. Amend page 2 of the bill, section 1, line 6, by inserting following the word "lands" the words:

"belonging to the state"

5. Amend page 2 of the bill, section 1, line 7, by striking all of the new matter therein and inserting in lieu thereof the following:

"acquired through the exercise of eminent domain proceedings for the following special purposes:"

6. Amend page 2 of the bill, section 1, line 9, by striking the words "land belonging to the state" and inserting in lieu thereof the words:

"~~land belonging to the state~~ **lands**"

7. Amend page 2 of the bill, section 1, lines 9 and 10, by striking the words "be purchased from the state" and substituting in lieu thereof the following:

"~~purchase from the state~~ **acquire**"

8. Amend page 2 of the bill, section 1, line 12, by striking the words "purchase school land from the state" and substituting in lieu thereof the following:

"~~purchase school land from the state~~ **acquire such educational lands**"

9. Amend page 2 of the bill, section 1, lines 14 and 15, by striking the words "purchase school land from the state" and substituting in lieu thereof the following:

"~~purchase school land from the State of Nebraska~~ **acquire such educational lands necessary**"

10. Amend page 2 of the bill, section 1, lines 19 and 20, by striking the words "purchase from the State of Nebraska, such school lands" and inserting in lieu thereof:

"~~purchase from the State of Nebraska, such school lands~~ **acquire such educational lands**"

11. Amend page 3 of the bill, section 1, line 36, by inserting after the word "any" the word "**such**".

12. Amend page 3 of the bill, lines 36 to 38, by striking the words "belonging to the state, may purchase from the state, for the public purpose for which it is acquired," and substituting in lieu thereof:

"~~belonging to the state, may purchase from the state, for the public purpose for which it is acquired~~ **acquire for public purposes**"

13. Amend page 3 of the bill, section 1, line 48, by striking the words "purchase from the state," and substituting in lieu thereof:

"~~purchase from the state,~~ **acquire**"

14. Amend page 3 of the bill, section 1, line 49, by striking the word "the" and substituting in lieu thereof the following:

"~~the~~ **such**".

15. Amend page 3 of the bill, section 1, line 56, by striking the word "purchase" and substituting in lieu thereof the word "**acquire**".

16. Amend page 7 of the bill, section 1, line 193, by inserting after the word "any" the word "such", and by inserting a comma following the word "lands".

17. Amend page 7 of the bill, section 1, line 195, by striking the words "purchase from the state" and inserting in lieu thereof:

"~~purchase from the state~~ **acquire**"

18. Amend page 7 of the bill, section 1, line 196, by striking the semi-colon and inserting in lieu thereof a period.

19. Amend pages 7 and 8 of the bill, section 1, lines 198 to 207, inclusive, by striking all of the new matter therein contained and substituting the following in lieu thereof:

"The condemnation proceedings herein provided shall not operate to deprive the State of Nebraska of any mineral rights in the lands taken for the special purposes herein authorized, and except as to land acquired by the United States of America, when any such land shall cease to be used for the special purpose for which it was acquired, it shall revert to the State of Nebraska as educational land."

20. Amend page 8 of the bill, by striking all of section 2, and inserting the following in lieu thereof:

"Sec. 2. The condemnation authorized by the next preceding section shall be in the manner provided for condemnation of real estate by counties for public use, as prescribed by sections 26-709 to 26-715, Compiled Statutes of Nebraska, 1929, except that condemnation proceedings may be brought by the United States of America in the district court of the United States of America. If the land to be taken is held under lease contract, a finding shall be made as to the interest of the owner in such lease contract and such value shall be separately assessed. If the land is held under contract of sale, the interest of the owner of such sale contract shall be separately assessed. Any damage occurring to the land of the state in addition to the value of the land purchased shall be assessed and included in the amount to be paid the state."

21. Amend page 8 of the bill by adding a new section, numbered 4, reading as follows:

"Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

22. Amend the title, lines 7 and 8, by striking the word "and" in line 7, by striking the period in line 8, and substituting therefor a semicolon, and then adding,

"and to declare an emergency."

(Signed) Matzke, Chairman

Enrollment and Review

LEGISLATIVE BILL 389. Placed on Select File with amendments.

E and R amendments to L. B. 389:

1. Strike legislature amendments by Mr. Brodahl and Mr. Mueller, and in the Standing Committee amendment strike the following: "line 7, before the word "**thirty-six**" insert the words "**not to exceed**"; and in"; and in the bill, Section 1, page 2, lines 6 and 7, strike the following: "the sum of ~~twenty-five~~ **thirty-six**", and in lieu thereof, insert the following:

"**not to exceed the sum of three thousand dollars until March 1, 1945 and, on and after that date,** the sum of twenty-five"

2. In the bill, Section 1, page 2, line 8, strike the word "the" before the word "matron", and in lieu thereof, insert: "~~the~~"; in line 9, strike the punctuation "," after the word "guards", and in lieu thereof, insert: "~~,~~;".

3. In the bill, title, page 1, strike all of the 3rd line, after the words "relating to", all of the 4th line, and the word "warden" in the 5th line, and in lieu thereof, insert the following:

"the officers and employees of the penitentiary and their salaries and compensation; changing the salary of the warden thereof until March 1, 1945".

(Signed) James H. Anderson, Chairman

Adjournment

At 5:10 p.m. on motion by Mr. Tvrdik the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, March 4, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, who was excused.

The Journal for the Forty-second Day was approved as corrected.

Communications

Letters were read from Senator Hugh Butler and Congressman Carl T. Curtis acknowledging receipt of Legislative Resolution 9, opposing "war time".

PETITIONS AND MEMORIALS

Mr. Sorrell introduced a petition asking that no reduction be made in the payments to recipients of old age assistance during the summer months.

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 159, Tuesday, March 16, 1943, 2:00 p.m.

L. B. 288, Tuesday, March 16, 1943, 2:00 p.m.

L. B. 319, Tuesday, March 16, 1943, 2:00 p.m.

Judiciary

LEGISLATIVE BILL 240. Placed on General File with amendments.

Standing Committee amendments to L. B. 240:

1. Amend the bill by striking all of sections 3 and 6 and renumbering the sections accordingly.

2. Amend the title, lines 6 and 7, by striking the words and punctuation "to provide for the appointment of a court reporter;".

3. Amend the title, line 7, by striking the punctuation ";" after the word "section" and inserting in lieu thereof the punctuation "." and by striking all of line 8.

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL 167. Placed on General File with amendments.

Standing Committee amendments to L. B. 167:

1. Amend the title of the bill by striking everything after the word "act", and insert in lieu thereof the following:
"to amend section 81-7601, C. S. Supp., 1941, relating to the state zoning agency; transferring jurisdiction thereof to the Department of Roads and Irrigation, who shall be reimbursed for all expenses incurred in administering the activities of the agency of the state zoning agency fund; and to repeal the original section."

2. Amend the bill by striking everything after the enactment clause and insert in lieu thereof the following:

"Section 1. That section 81-7601, C. S. Supp., 1941, be amended to read as follows:

81-7601. There is ~~hereby~~ established within and for the State of Nebraska a "state zoning agency", hereinafter called "agency", ~~an executive department of the state, functioning under the governor and composed of the Nebraska advisory defense committee, created by legislative bill No. 232, fifty-fifth session, Nebraska state legislature, 1941, who~~ **The functions of said agency** shall ~~administer the duties devolving upon them as this act provides and who shall receive no~~

~~additional compensation for performing their duties; Provided, the personnel of the agency~~ **be administered by the Department of Roads and Irrigation as provided in this act. The Department of Roads and Irrigation** shall be reimbursed ~~out of the "state zoning agency fund", hereinafter created, for actual travel expense and subsistence necessarily incurred while performing the functions as this act requires of them.~~ **all expenses incurred in administering the activities of the agency out of the "state zoning agency fund."** In addition to all powers expressly herein conferred, such agency shall possess such additional powers as may be reasonably necessary for it efficiently and economically to perform the functions for which it is established.

Section 2. That original section 81-7601, C. S. Supp., 1941, is repealed.

LEGISLATIVE BILL 337. Placed on General File with amendments.

Standing Committee amendments to L. B. 337:

1. Amend the title to the bill, line 3, by inserting after the word "and" the following:

"and the construction and improvement of waterworks systems, and storm and sanitary sewers,".

2. Amend page 2 of the bill, section 1, line 4, by inserting following the word "construction" the following:

"or improvement of a system of waterworks, or".

LEGISLATIVE BILL 365. Placed on General File with amendments.

Standing Committee amendments to L. B. 365:

Strike all from the end of line 4, section 2, after the word "trains", and in lieu thereof insert the following:

The Railway Commission as authorized by section 75-301, Compiled Statutes of Nebraska, 1929, shall, upon its own motion or upon the complaint of an affected railroad company or other interested party or parties set the complaint for hearing, and upon its findings shall issue formal order to enforce compliance with the provisions of this act.

LEGISLATIVE BILL 387. Placed on General File.

LEGISLATIVE BILL 314. Placed on General File.

LEGISLATIVE BILL 136. Placed on General File.

LEGISLATIVE BILL 324. Indefinitely postponed.

LEGISLATIVE BILL 347. Indefinitely postponed.

(Signed) Mischke, Chairman

Enrollment and Review

LEGISLATIVE BILL 82. Placed on Select File with amendments.

E and R amendments to L. B. 82:

1. In Standing Committee amendment No. 1 strike the punctuation "," at the end of the new inserted subject matter.

2. In Standing Committee amendment No. 3, Section 3, line 15, strike: " ~~commisscin~~ **commission**" and in lieu thereof, insert "commission"; line 21, strike the punctuation "," after the word "coroners", and in lieu thereof, insert: ", **and**"; insert the punctuation "." in the following places: line 20, before "judges"; line 21, before "Sheriffs" and before the word "Persons"; lines 22, 24, 26, 32 and 34, before "Persons"; line 36, before "Clerks"; in line 36, strike the punctuation "." after the word "term" and before the punctuation ";", and in lieu thereof, insert ",".

3. In Standing Committee amendment No. 6, referring to new Section 6, 2nd line, insert the word "**the**" after the word " **in**" and before the word "**district**"; in line 7 and also in line 9, strike the word "**where**", and in lieu thereof, insert the following: "**, if**".

4. Strike the legislature amendment by Mr. Peterson.

5. In legislature amendment No. 1, by Mr. James H. Anderson, 5th line, insert the word "the" before the words "district court".

6. In legislature amendment No. 2, by Mr. James H. Anderson, insert the punctuation "," in line 1, after "**woman**", line 2, after "**court**", and line 22, after "**health**", and strike the punctuation "," in line 4, after the word "**service**" and line 12, after "**request**"; in line 22, insert the word "**the**" before the word "**impairment**", and before the word "**health**" insert the word "**her**"; in line 24, after the word "**work**" in-

sert the word "**an**"; in line 25, strike the following: "**to compel her to serve**", and in lieu thereof, insert: "**if compelled to serve**".

7. In the two legislature amendments by Mr. Lee, strike the word "seventy" and in lieu thereof, insert: "~~sixty-five~~ **seventy**".

8. In the bill, Section 4, formerly Section 2, page 3, line 9, strike the punctuation ";" and in lieu thereof, insert: "~~;~~ ;", and after the word "Provided" strike the punctuation "," and insert ",", and in line 18, strike the punctuation "," and insert ",".

9. In the bill, Section 5, formerly Section 3, page 4, line 10, strike the punctuation ";" and insert: "~~;~~ ;".

10. In the bill, Section 8, formerly Section 4, page 4, line 1, after the punctuation "," and before the word "and", insert the following: "20-1608, 20-1636".

LEGISLATIVE BILL 179. Correctly engrossed.

(Signed) James H. Anderson, Chairman

REQUEST—To Have L. B. 155 Returned to Committee

Mr. Sorrell asked that unanimous consent be granted to have L. B. 155 returned to the standing committee for further consideration.

No objection was offered. So ordered.

LEGISLATIVE BILL 155. Returned to Committee on Public Works for further consideration.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 417. By Committee on Labor and Public Welfare, George I. Craven of Lancaster, Chairman

A bill for an act relating to state institutions; to provide for the placing of spastic persons by the Board of Control in the Nebraska Institution for the Feeble-minded, and for the custodial care of such persons by such institution; to amend sections 83-402 and 83-404, Compiled Statutes of Nebraska, 1929; and to repeal the original sections.

MOTION—To Suspend Rules and Refer

Mr. Craven moved that the rules be suspended and that L. B. 417 be referred at once.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Referred to Committee on Appropriations.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 271. With emergency clause.

A bill for an act to amend section 2-1401, C. S. Supp., 1941, relating to agriculture; to provide for the control and eradication of field bindweed; to provide that the owner, or all of the owners, of a section or more of land lying in one body within any county may request that material and equipment be furnished, for the control and eradication of bindweed, and may also adopt a plan of eradication and control; to make applicable the provisions of the field bindweed act, if such procedure is followed; prescribing the duties of certain county and state officers and property owners with respect thereto; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in negative, 0.

Not voting, 9:

Brodahl
Craven
Crosby
Garber
Greenamyre
Lee
Ogden
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 133.

A bill for an act to amend section 54-126, C. S. Supp., 1941, relating to recording of registered cattle brands and marks; to establish a recording fee, a renewal fee and a renewal period; providing for a notice to every record owner of such a brand or mark, of such renewal period, at least ninety days before such time, the furnishing of certain information, by such owner, to the Secretary of State and the forfeiting of such a brand or mark under certain circumstances; and to repeal the original section and also section 54-135, C. S. Supp., 1941.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Craven
Garber
Greenamyre
Ogden
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: I was absent on Appropriations Committee work at the time of third reading of L. B. 271 and L. B. 133, but had I been present I would have voted "aye" on both.

(Signed) Greenamyre

Mr. President: I was called out, but had I been present I would have voted "aye" on L. B. 271 and L. B. 133.

(Signed) Ogden

SELECT FILE

LEGISLATIVE BILL 46. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 69. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 116. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 140. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 141. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 152. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 165. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 209. Mr. James H. Anderson moved that the rules be suspended and that the reading of E and R amendments, found in the Legislative Journal for the Forty-second Day, be dispensed with.

The motion prevailed with 31 ayes, no nays, 12 not voting.

E and R amendments were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 389. E and R amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. James H. Anderson presiding

LEGISLATIVE BILL 106. Passed over.

LEGISLATIVE BILL 137. Mr. Raecke offered the following amendments, which were adopted:

Amend the bill, page 2, section 1, line 15 by striking the word "Commissions" and inserting in lieu thereof the word "Commission".

Amend page 3 of the bill, section 1, line 39, by striking the following **"section 66-411"** and inserting in lieu thereof: **"sections 66-405, 66-411 and 66-416"**.

Mr. Raecke moved to refer to E and R for review.

Mr. Mekota moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 28:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Dooley
Doyle
Foster
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Norman
Peterson
Reavis
Sorrell
Thomas
Weborg

Voting in the negative, 8:

Crosby
Gantz
Greenamyre
Neubauer
Ogden
Osborne
Raecke
Tvrdik

Not voting, 7:

Anderson, James H.
Crossland
Cullingham
Klaver
Mueller
Rakow
Thompson

The motion prevailed.

MOTION—To Make Special Order

Mr. President: I move that the rules be suspended and that L. B. 232 and L. B. 60 be advanced on General File and made a special order of business, following each other, on Tuesday, March 9, 1943, at 10.00 a.m.

(Signed) Raecke

The motion prevailed with 38 ayes, no nays, 5 not voting.

Adjournment

At 12:13 p.m. on motion by Mr. Cullingham the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, March 5, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, who was excused.

The Journal for the Forty-third Day was approved.

Invitation

A letter was read from the State Association of Mutual Insurance Companies extending an invitation to the Lieutenant Governor, the members of the Legislature and their wives to attend a banquet at the Lincoln Hotel on Tuesday, March 16, 1943 at 6:30 p. m.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 392, Thursday, March 18, 1943, 2:00 p.m.
(Changed from March 11)

Labor & Public Welfare

L. B. 354, Monday, March 29, 1943, 2:00 p.m.

L. B. 401, Monday, March 29, 1943, 2.00 p.m.

Appropriations

L. B. 417, Tuesday, March 16, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 403. Placed on General File.

LEGISLATIVE BILL 190. Indefinitely postponed.

LEGISLATIVE BILL 294. Placed on General File with amendments.

Standing Committee amendments to L. B. 294:

1. Amend the bill, section 1, lines 1 and 2, by striking the words "Compiled Statutes of Nebraska, 1929, and insert in lieu thereof the the words "C. S. Supp., 1941,"

2. Amend the bill, section 1, line 58, by striking the word "per" .

3. Amend the bill, section 2, lines 1 and 2, by striking the words "Compiled Statutes of Nebraska, 1929, and insert in lieu thereof the the words "C. S. Supp., 1941," .

4. Amend the bill, section 2, by striking the new matter in lines 11 to 15, inclusive, and inserting same at the end of the section after the word and punctuation "act."

5. Amend the bill, section 3, line 2, by striking the words "Compiled Statutes of Nebraska, 1929," and inserting in lieu thereof the words "C. S. Supp., 1941,".

6. Amend the title, lines 2 and 3, by striking the words "Compiled Statutes of Nebraska, 1929," and inserting in lieu thereof the words "C. S. Supp., 1941,".

(Signed) Raecke, Chairman.

Agriculture

LEGISLATIVE BILL 281. Placed on General File.

(Signed) Neubauer, Chairman.

Government

LEGISLATIVE BILL 244. Placed on General File with amendments.

Standing Committee amendments to L. B. 244:

1. Amend page 2 of the bill, by striking section "1" and inserting the following in lieu thereof:

Section 1. The county board of each county in this state having a population of more than two hundred thousand may borrow money in an amount sufficient to pay all valid, legally existing, warrants of the county hereafter drawn on any county fund, which is legally entitled to participate in the annual allocation of revenue, but subject to the following limitations and requirements, to wit:

(a) Money shall not be borrowed in excess of the amount required to pay warrants issued, and embraced within the limits imposed by law upon the right of a county to draw and issue warrants.

(b) The money so borrowed may not be used for any purpose other than payment of such warrants.

(c) The obligation thus incurred shall be evidenced by a negotiable promissory note or notes issued in the name of the county, and signed by the chairman of the board and witnessed by the county clerk.

(d) The note may run for not more than one year, but shall be callable by the county at any time, and may draw interest not in excess of three per cent per annum.

(e) Such note or notes before being negotiated shall be presented to the county treasurer of the county and registered by him, and shall be payable out of the revenues collected and received, and credited to such fund or funds.

2. Amend page 2 of the bill by striking section 2 and inserting the following in lieu thereof:

Sec. 2. The county board of any county having more than two hundred thousand population may use money available in any fund of the county, if not presently or in the immediate future needed for the use of such fund, with which to take up by way of investment legal valid warrants drawn upon any other fund of the county in which there may not be money presently available with which to pay such warrant; but such taking up of a warrant shall constitute and be deemed a purchase thereof as an investment of idle money in the fund for which acquired, and any warrant so taken by way of investment shall be registered to the credit of the fund from which the money was taken with which to acquire the warrant, and shall not draw interest.

LEGISLATIVE BILL 138. Placed on General File with amendments.

Standing Committee amendments to L. B. 138:

1. Amend title of the bill, line 2, by inserting after the punctuation following the word "jails" the following:

"to provide for the manner of determination of payment for keeping of all prisoners; to define who are state prisoners;".

2. Amend page 3 of the bill, section 1, lines 65 to 68, by striking all of the new matter contained therein.

3. Amend page 4 of the bill, section 1, line 69, by inserting after the punctuation following the word "day" the following: **"Computed on the basis of all kinds of prisoners, whether city, county, state, federal or any other class, confined in the jail."**.

4. Amend page 4 of the bill, section 1, line 71, by inserting after the word "fifty" the word "such".

5. Amend page 4 of the bill, section 1, line 71, by striking the period, substituting a semicolon and adding the following matter: **"Provided, however, commencing January 9, 1947, the boarding of prisoners, other than state prisoners, in counties having a population of more than two hundred thousand inhabitants shall be governed by subdivision (2) of this section."**

6. Amend page 4 of the bill, section 1, line 82, by striking the word "In" at the beginning of the sentence and inserting the following in lieu thereof: **"Commencing January 9, 1947, in"**

7. Amend page 4 of the bill, section 1, line 88, by striking the period and substituting a comma therefor, and then adding the following matter: **"and shall prepare and furnish all meals, and provide all washing, fuel, lights and clothing, for prisoners at actual cost to the county therefor, subject to the right of the county to be paid by the state for state prisoners at the rate provided in section 47-111, C. S.**

Supp., 1941, as amended by this act. The sheriff shall, by written requisition, advise the county board what supplies are needed to enable him to carry out the duties herein imposed."

8. Amend page 5 of the bill, section 2, line 3, by inserting a new subsection (1) in lieu of the present subsection (1) to read as follows: **"A state prisoner shall be a person who has been convicted of a felony and started to serve the sentence imposed under such conviction."**

9. Amend page 5 of the bill, section 2, line 30, by striking the word "In" at the beginning of the sentence and inserting in lieu thereof the following: **"Until January 9, 1947, sheriffs in counties having a population of two hundred thousand or more inhabitants shall be paid by the state for boarding state prisoners, and shall be reimbursed for furnishing washing, fuel, lights and clothing, as provided in subsection (1) of this section. Commencing January 9, 1947, in".**

10. Amend page 5 of the bill, section 2, line 3, by striking the subsection number "(1)" and inserting in lieu thereof the figure "(2)".

11. Amend page 5 of the bill, section 2, line 30, by striking the subsection number "(2)" and inserting in lieu thereof the figure "(3)".

12. Amend page 6 of the bill, section 2, line 43, by striking the subsection number "(3)" and inserting in lieu thereof the figure "(4)".

LEGISLATIVE BILL 203. Placed on General File with amendments.

Standing Committee amendments to L. B. 203:

1. Amend Page 2, Sec. 3, line 6, by adding after the punctuation following the word "years" the following: "A member appointed to fill a vacancy occurring prior to the expiration of the term shall be appointed for the remainder of the term."

2. Amend Page 2, Sec. 3, line 13, by adding after the punctuation following the word "term" the following: "No member shall be an official or employee of any of the state agencies during his term."

3. Amend Page 3, Sec. 7, line 13, by striking the punctuation "." after the word "Court" and adding the following: "; (19) Merit System Council."

4. Amend Page 3, Sec. 8, line 1, by adding after the punctuation following the figure 8, the following: "(1)."

5. Amend Page 3, Sec. 8, by adding the following subsection which shall follow subsection 1: "(2)". In addition to the stenographic, secretarial, clerical and other similar positions of the agencies included in the provisions of this act, there shall be included all the positions under the provisions of the existing merit system at the time this bill takes effect as found in the Department of State Assistance and Child Welfare, the Department of Health, the Division of Placement and Unemployment Insurance, and the Merit System Council."

6. Amend Page 4, Sec. 10, lines 10 to 12 inclusive, by striking out the following sentence: "The Council shall establish rules regarding hours of work, vacations and sick leave."

7. Amend Page 4, Sec. 12, line 5, by striking the punctuation "." after the word "agency" and adding the following: ", except that temporary, emergency, or provisional appointments may be made subject to rules and regulations of the council."

8. Amend Page 5, Sec. 14, line 5, by striking out the word "any" and substituting the words "a state employee who is a".

9. Amend Page 5, Sec. 14, line 10, by adding after the punctuation following the word "schedule" the following: "All payrolls of county employees coming under the provisions of the Merit System regulations shall be subject to audit by the council."

10. Amend Page 5, Sec. 15, line 3, preceding the word "position" by adding the words "class of".

11. Amend Page 5, Sec. 15, line 3, by striking the punctuation "." after the word "held" and adding the following: "at the time of examination for that position, except as provided in Section 23."

12. Amend Page 5, Sec. 15, line 8, by adding after the period the following words and punctuation: "Provided, however, that all persons holding classified positions at the time this act takes effect, who have been employed by the state, which employment need not be continuous, for a total of five years or more prior to the effective date of this act, shall be regarded as having been appointed in accordance with this act."

13. Amend Page 6, Sec. 18, line 27, by striking the punctuation "." following the word "dismissed" and adding the words ", but the name of the employee shall not thereafter be certified to the same agency except at the request of the appointing authority."

14. Amend Page 7, Sec. 20, line 3, by inserting after the word "act" the following words and punctuation: "; Provided, that in estab-

lishing such rules and regulations the council shall act independently of any Federal agency, except with respect to those employees also subject to Federal regulations".

15. Amend Page 7, by striking all of Sec. 21 and Sec. 22; renumber the succeeding sections to conform.

16. Amend Page 7, Sec. 23, by striking the entire section and substituting the following:

(1) "Any agencies covered herein having an existing merit system shall continue to operate such system until such time as the Governor by executive order shall declare that all necessary provisions have been made for placing the provisions of this act in full effect as to the agency or agencies specified in such order.

(2) All lists of eligibles, papers, books, records and other documents relating to the administration of any such merit system shall, upon request of the council, on or after the date established in the executive order issued by the Governor pursuant to this section with respect to such agency, be immediately transferred to the council by the agency heretofore charged with the administration of such merit system. Prior to such date the council shall, upon request, pending declaration by the Governor as hereinbefore provided, be given access by the agency charged with the administration of such merit system to its lists of eligibles, papers, books, records or other documents relating to the administration of its existing system.

(3) Lists of eligibles established under such merit system shall be available to, and may be used by, the council in the same manner as lists established under the provisions of this act until examinations shall have been held by the council and new lists established.

(4) If any examination under a previously existing merit system has been announced but not completed on the date established in the executive order of the Governor hereinbefore referred to, the council shall, if the examination processes completed are substantially in accordance with the provisions of this act, complete such examinations, establish eligible lists, and utilize such lists in the same manner as hereinbefore provided.

(5) Any employee appointed upon the basis of an appropriate examination under an existing merit system shall be given similar status under the merit system established under the provisions of this act without further examination, subject to the satisfactory completion of any probationary period."

17. Amend Page 8, Sec. 24, line 3, by adding after the word "installation" the following: "and administration".

LEGISLATIVE BILL 380. Placed on General File.

LEGISLATIVE BILL 261. Placed on General File.

LEGISLATIVE BILL 348. Indefinitely postponed.

LEGISLATIVE BILL 9. Indefinitely postponed.

(Signed) Doyle, Chairman.

Banking, Commerce & Insurance

LEGISLATIVE BILL 395. Indefinitely postponed.

(Signed) Peterson, Chairman

Enrollment & Review

LEGISLATIVE BILL 154. Placed on Select File with amendments.

E and R amendments to L. B. 154:

1. In the bill, Section 1, page 2, line 4, insert the punctuation "," after the word "districts"; line 7, strike the word "annually", and in lieu thereof, insert: "annually,"; line 8, after **"15"** and before the punctuation ",", insert: **"of each year"**; line 12, strike the word "corporation", and in lieu thereof, insert: "corporation **municipal corporations, townships or districts"** .

2. In the bill, title, page 1, 3rd and 4th lines, strike: "certification by", and in lieu thereof, insert: "certificates by the proper authorities of"; in the 5th line, after the word "districts", insert: ", which are"; in the 6th line, insert the punctuation "," after the word "purposes"; in the 8th line, strike the word "certification" and all of the 9th line, except the punctuation ";", and in lieu thereof, insert: "such certificates shall be so made on or before July 15 of each year" .

LEGISLATIVE BILL 177. Placed on Select File with amendments.

E and R amendments to L. B. 177:

1. In the bill, Section 1, page 2, lines 3 and 4, strike: "one hundred fourteen dollars and thirty-three", and in lieu thereof, insert: "twenty-

one dollars and ninety-two"; line 11, after the word "the" and before the word "term", insert the word "same", and strike: "commencing January 7, 1943", in said line; line 19, after the word "for" and before the word "period", insert the word "the"; line 21, insert the word "and" after "cents;" ; line 22, before the word "period" insert: "the same", and strike: "ending January 5, 1945", in said line; line 24, insert the words "of each" at the beginning of said line, before the words "of such", and strike the word "bond", after the word "such", and in lieu thereof, insert: "bonds or insurance policies"; line 25, strike the word "his", at the beginning of said line, and in lieu thereof, insert the word "a", and in said line, strike: "each of said premiums", and in lieu thereof, insert: "the premium"; line 26, strike: "and," at the beginning of said line; line 28, strike the words "such warrants" and in lieu thereof, insert the word "they" .

2. In the bill, title, page 1, 3rd line, strike: "$10,114.33", and in lieu thereof, insert: "$10,021.92," ; in the 6th line, insert the word "the" before the word "State"; strike all of the 7th, 8th and 9th lines, and in lieu thereof, insert: "deputy state treasurer for"; insert the word "the" at the end of the 10th and 13th lines; in the 12th line, strike the words "on messenger", and in lieu thereof, insert: "for the bond for messenger robbery"; in the 14th line, strike the word "a" at the beginning of said line.

3. Insert the punctuation "," in the following places: In the bill, Section 1, page 2, line 5, after "premiums"; line 7, after "Treasurer"; in the title, page 1, 4th line, after "necessary", and 13th line, after "Treasurer" .

LEGISLATIVE BILL 366. Placed on Select File with amendments.

E and R amendments to L. B. 366:

1. In the bill, Section 2, page 2, line 3, after the word "another", insert: "school district or"; line 4, strike the word "or" after the words "school board", and in lieu thereof, insert the punctuation ",", and strike the punctuation "," after the word "state"; line 5, after the word "from" insert the word "said".

2. In the bill, Section 3, page 2, line 1, after the word "No", insert the following: "school district or", and strike the word "or", after the word "board", and in lieu thereof, insert the punctuation ","; line 2, after the word "Nebraska", insert the following: ", hereinafter referred to as "said board or district" ," ; line 5, after the word "another", insert: "school district or"; strike all of lines 6 to 10 inclusive, and in lieu thereof, insert:

", board of regents or trustees of a school district within this state, hereinafter referred to as "such other board or district", covering a part or all of the same time of performance as the contract with such other board or district. No person, under contract with such other school board or district, shall enter into such a contract with said board or district for part or all of the same time of performance as his or her contract with such other school board or district. Upon the receipt of a sworn statement, made for or authorized by such other board or district, that a person, now employed by said board or district, in such capacity, is already under contract of employment with such other board or district, for part or all of the same time of performance as such person is, has been or will be so employed by said board or district, said board or district shall immediately"

3. In the bill, Section 3, page 2, line 13, strike the word "or" after the word "board", and in lieu thereof, insert the punctuation ","; line 14, after the word "regents", insert: "or trustees of a school district", and after the word "Nebraska" insert the punctuation ","; line 15, after the word "section", insert the punctuation ",".

4. In the bill, Section 4, page 2, line 3, after the word "officer", insert the word "and"; after the word "which", insert the word "a", and after the word "given", insert the punctuation ","; line 4, after the word "revoked" insert the punctuation ",".

5. In the bill, Section 4, page 3, line 9, after the word "his", insert the following: "or her".

6. In the bill, title, page 1, 5th line, after the word "on" insert the word "a", and after the word "by", insert the word "the"; in the 8th line, after the word "prohibit", insert the word "a", and after the word "person", insert the punctuation ","; strike the 9th, 10th and 11th lines, and in lieu thereof, insert: "district or board of education, school board, board of regents or trustees of a school district, from entering into a contract with another school district under the circumstances stated in this act; to prohibit a school district or board of education, school board, board of regents or trustees of a school district from entering into a contract with a person as a teacher, nurse, principal, supervisor, assistant superintendent or superintendent under the circumstances stated in this act; to define certain terms by reference;".

Presented to Governor for approval

Friday, March 5, 1943 at 9:15 a.m.

Legislative Bill 25.

Correctly enrolled

L. B. 57
L. B. 61
L. B. 186
L. B. 74
L. B. 75
L. B. 113
L. B. 163
L. B. 110
L. B. 84
L. B. **58**
L. B. **125**

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 57
L. B. 61
L. B. 186
L. B. 74
L. B. 75
L. B. 113
L. B. 163
L. B. 110
L. B. 84
L. B. **58**
L. B. 125
L. B. **73**

RESOLUTIONS

LEGISLATIVE RESOLUTION 8. Nebraska Geological and Water Survey.

Speaker Crosby Presiding

Mr. Sorrell moved that the resolution be adopted.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Standing Committee Reports

Mr. Neubauer reported that the Committee on Agriculture by a majority vote of its members had voted to introduce a committee bill in regard to the control and eradication of noxious weeds.

Mr. Peterson reported that the Committee on Banking, Commerce and Insurance had by a vote of seven of its members voted to introduce a committee bill relating to interest.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 418. By committee on Agriculture, Neubauer of Harlan, Chairman.

A bill for an act to amend section 2-1712, C. S. Supp., 1941, relating to agriculture; to provide that townships may put into effect a plan or plans for the control and eradication of noxious weeds; to provide that the governing body of any county, township, city, village, or other governmental or political subdivision of the state, or public corporation, having the power to levy taxes, shall have the specific power to levy and collect taxes for the purpose of eradicating noxious weeds; and to repeal the original section.

LEGISLATIVE BILL 419. By Committee on Banking, Commerce and Insurance, Peterson of Lancaster, Chairman.

A bill for an act to amend sections 45-101, 45-102 and 45-132, C. S. Supp., 1941, relating to interest; to exclude from the operation of the above specified sections licensees operating under license issued by the Department of Banking under laws specifically permitting licensees to charge a greater rate of interest; and to repeal the original sections.

President Johnson presiding

Mr. Mueller moved that the rules be suspended and that L. B. 418 and L. B. 419 be referred at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Referred to Standing Committees

L. B.	Introducer	Committee reference
418	By Committee on Agriculture Neubauer, Chairman	Agriculture
419	By Committee on Banking, Commerce & Insurance Peterson, Chairman	Banking, Commerce & Ins.

Bills Re-referred

L. B.	From	To
159	Public Health & Misc. Subs.	Committee on Agriculture
288	Public Health & Misc. Subs.	Committee on Agriculture
319	Public Health & Misc. Subs.	Committee on Agriculture

SELECT FILE

LEGISLATIVE BILL 82. E and R amendments, found in the Legislative Journal for the Forty-third Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 106. Passed over. Retains place on File.

LEGISLATIVE BILL 147. Read and considered.

Standing Committee amendment No. 1, found in the Legislative Journal for the Thirty-second Day, was adopted.

Mr. Raecke moved that Standing Committee amendment No. 2 be adopted.

After consideration, Mr. James H. Anderson moved the previous question.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Raecke's motion was lost with 3 ayes, 31 nays, 9 not voting.

Amendment No. 2 was not adopted.

Visitor

Mr. Greenamyre introduced Mr. Samuel C. Blackman of Tilden, a former member, who addressed the Legislature briefly.

Standing Committee amendment No. 3 was adopted.

Mr. Garber offered the following amendment, which was adopted with 23 ayes, 6 nays, 14 not voting:

To insert "and 1947" after the word "1946" in line 3, Sec. 1, strike the word "and".

Visitor

Mr. Jeffords introduced Mr. J. S. Kroh of Ogallala, a former member, who addressed the Legislature briefly.

Mr. Crosby offered the following amendment, which was adopted with 31 ayes, no nays, 12 not voting:

Amend by inserting after the word "construction" in line 5 of Sec. 2, the words and punctuation "and equipment".

Mr. Peterson moved that in lieu of the Committee amendments to the title the Committee on Enrollment and Review be instructed to amend the title to conform to the amendments adopted.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Mr. Matzke offered the following amendment, which was adopted with 28 ayes, no nays, 15 not voting:

Sec. 1, after the word "Funds" in line 8, strike the period and add "in the amount of $685,566.83."

Referred to E and R for review.

LEGISLATIVE BILL 201. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for review.

Visitor

President Johnson introduced Mr. John Peterson of Ashland, a former member, who addressed the Legislature briefly.

Adjournment

At 12:02 p. m. on motion by Mr. Greenamyre the Legislature adjourned until Monday, March 8, 1943 at 10:00 a.m.

Hugo F. Srb
Clerk of the Legislature.

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 8, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Thomas, who was excused.

The Journal for the Forty-fourth Day was approved.

Communications

Letters were read from Senator Kenneth S. Wherry and Congressmen Howard Buffett and A. L. Miller acknowledging receipt of Legislative Resolution 9, opposing "war time".

Invitation

A letter was read extending an invitation to the members of the Legislature to attend the Public Affairs Luncheon of the Lincoln Chamber of Commerce on March 10, 1943, at which former Senator George W. Norris will be the principal speaker, his subject being "After the War, What?"

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 418, Tuesday, March 16, 1943, 2:00 p.m.

Government

L. B. 111, Wednesday, March 17, 1943, 2:00 p.m.

L. B. 183, Wednesday, March 17, 1943, 2:00 p.m.

L. B. 238, Wednesday, March 17, 1943, 2:00 p.m.

L. B. 311, Wednesday, March 17, 1943, 2:00 p.m.

L. B. 420, Wednesday, March 17, 1943, 2:00 p.m.

Approved by the Governor

March 5, 1943.

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 25.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 316. Placed on General File.

LEGISLATIVE BILL 329. Placed on General File with amendments.

Standing Committee amendments to L. B. 329:

1. Amend Section 4, line 5, by substituting for the word "or" preceding "(C)" the word "and".

2. Amend Section 5, line 2, by adding after the word "may" the words "in his discretion".

3. Amend Section 6, line 3, by substituting for the punctuation "." following the word "judge" the punctuation "," and add following the

comma the words and punctuation "except that if the minor child is over fourteen years of age his or her presence shall not be required."

LEGISLATIVE BILL 184. Placed on General File with amendments.

Standing Committee amendments to L. B. 184:

1. Amend page 8 of the bill, section 7, line 6, by striking the word "fifty" and inserting in lieu thereof the words "five hundred".

2. Amend page 9 of the bill, section 8, line 6, by striking the words "county treasurer" and inserting in lieu thereof the words "county clerk".

3. Amend page 9 of the bill, section 8, line 9, by striking the words "county treasurer" and inserting in lieu thereof the words "county clerk".

(Signed) Foster, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL 176. Placed on General File with amendments.

Standing Committee amendments to L. B. 176:

1. Amend the title, line 3, by striking the figures and punctuation: "45-101,".

2. Amend page 2 of the bill, section 1, line 1, by striking the figures "45-101" and substituting in lieu thereof the figures "45-131".

3. Amend page 2 of the bill, section 1, line 3, by striking the figures "45-101" and substituting in lieu thereof the figures "45-131".

4. Amend page 2 of the bill by striking all of section 2.

5. Amend pages 2 to 10, inclusive, of the bill, by renumbering sections 3 to 11, inclusive, as sections 2 to 10, inclusive.

6. Amend page 10 of the bill, present section 11, line 1, by striking the figures and punctuation "45-101".

LEGISLATIVE BILL 296. Placed on General File with amendments.

Standing Committee amendments to L. B. 296:

1. Amend the title, lines 8 to 10, by striking the following: "to amend sections 45-101 and 45-102, C. S. Supp., 1941;"

2. Amend the title, line 10, by inserting the word "and" before the word "to".

3. Amend the title, line 11, by striking the semicolon and inserting a period in lieu thereof, and then striking: "and to repeal the original section."

4. Amend the bill, page 2 and 3, by striking all of section 1, 2, and 3.

5. Amend the bill, page 3 to 8, by renumbering sections 4 to 20, inclusive as section 1 to 17, inclusive.

6. Amend page 4 of the bill, by striking all of the present section 5 and inserting a new section in lieu thereof, reading as follows:

"Every licensee hereunder may make loans and may contract for and receive charges at the following rates:

(1) not exceeding three per cent per month on that part of the unpaid principal balance on any loan not in excess of fifty dollars;

(2) not exceeding one and one half per cent per month on that part of the unpaid principal balance on any loan in excess of fifty dollars and not in excess of five hundred fifty dollars;

(3) not exceeding three-fourths of one per cent per month on that part of the unpaid principal balance on any loan in excess of five hundred fifty dollars and not in excess of five thousand dollars."

7. Amend page 9 of the bill by striking all of section 21.

LEGISLATIVE BILL 43. Placed on General File with amendments.

Standing Committee amendments to L. B. 43:

1. Amend the title, lines 2 to 10, by striking all after the word "relating" and substituting the following in lieu thereof:

"to the making of personal loans repayable in installments by banks, saving banks, and trust companies; to permit such institutions to make such personal loans within authorized rates of charge and under regulations appropriate for the protection of borrowers; to provide for the administration and enforcement of this act; to provide for the prescribing of regulations; to provide for the keeping of books and records, and the making of annual reports; to provide means for discovery of violations of this act; and to provide penalties."

2. Amend the bill, pages 2, 3 and 4, by striking all of sections 1, 2, 3 and 4, and inserting the following in lieu thereof:

"Section 1. The following words shall have the following meanings when used in this act unless the context clearly requires a different meaning:

"Department" means the Department of Banking of the State of Nebraska.

"Section" means section of this act.

"Bank" includes banks, savings banks, and trust companies organized under the laws of this state and national banks doing business in this state.

"Registered bank" means any bank which has in effect a registration under section 2.

"Unregistered bank" means any bank which has not registered under section 2 or the registration of which is not in effect because of action taken under section 9.

"Personal loan" means a loan, and the contract evidencing the same, made in an amount of $2,500.00 or less which is repayable, pursuant to a contract or understanding, in two or more installments.

Sec. 2. (a) Any bank which has registered with the department a statement of intention to engage in the business of making personal loans may exercise, subject to the provisions of this act, the privileges conferred by section 4 (a). Such registration shall be in form prescribed by the department and shall contain an agreement to comply with the provisions and accept the conditions of this act.

(b) No bank, savings bank or trust company shall be eligible for a license or to make loans under sections 45-131 to 45-159, inclusive, C. S. Supp., 1941, as amended by Legislative Bill 176, 1943, after the effective date of this act. Any such license held by a bank, savings bank or trust company shall terminate upon the effective date of this act;

Provided, that such termination shall not affect the validity of any loan contracts made under any such license and every such loan contract shall remain subject to the applicable provisions of such sections until it is paid. The pro rata license fee for the unexpired period of the license year shall be returned.

Sec. 3. (a) Except as provided for in section 4 (a), no bank shall contract for or receive on or in connection with any personal loan a higher rate of interest than would otherwise be permitted by law, whether such higher rate is obtained by making charges on discounts without due allowance for partial repayments of principal, or by taking deposits in lieu of repayments, or by imposing fees or charges pretended to be for investigation, brokerage, service, or other subterfuge, or by any other device or means.

(b) In any court proceeding involving or arising out of a personal loan made after the effective date of this act by any unregistered bank, if the party alleged or purported to be obligated on account of the loan is the prevailing party in asserting any right or defense relating to such loan, he shall be entitled to recover from the opposing party, in addition to taxable costs and expenses to which he would otherwise be entitled, all other costs of litigation, including attorney's fees, actually paid or incurred in asserting or defending his rights on the issues with respect to which he was the prevailing party in whatever amounts the court may find to be reasonable, to be taxed as costs.

Sec. 4. (a) Subject to the provisions of this act, any registered bank may contract for and receive, on any personal loan, charges at a rate not exceeding one and one half per cent a month computed as simple interest on the unpaid balances of the principal amount actually received, and retained by the borrower.

(b) In addition to the charges permitted by section 4 (a), no further amount or exaction shall be directly or indirectly contracted for or received, except:

(1) Lawful fees actually and necessarily paid to a public officer for filing, recording, or releasing an instrument securing the loan;

(2) Taxable costs to which the bank is adjudged to be entitled in judicial proceedings instituted to collect the loan;

(3) Premiums paid to the insurer on policies covering tangible personal property securing the loan. Such insurance shall be only in such amount and of such a nature as is customary and reasonable, having regard to all the circumstances of the loan, and the premium

shall not exceed standard rates. The bank shall not decline existing insurance, where existing insurance is provided by an insurance company licensed in this state, nor require the purchase of insurance from the bank or its representatives as a condition precedent to making a loan. If insurance is procured by or through the bank an executed copy of the insurance policy or certificate of insurance shall be delivered to the borrower within fifteen days.

(c) Except as provided in section 4 (d), charges made under 4 (a) shall not be paid, deducted, or received in advance and shall be computed only as a percentage per month of the unpaid principal balances for the number of days actually elapsed.

(d) At the time the loan is made charges may be computed as a percentage per month of unpaid principal balances for the number of days elapsed on the assumption that the unpaid principal balance will be reduced as provided in the loan contract, and such charges may be included in the face of the note and in the scheduled installments; Provided, that if the loan is prepaid in whole or in part unearned charges shall be refunded or credited to the borrower in full, but such refund need not be made until final payment of the loan contract. Such refund shall be in such an amount that the amount of charges actually retained by the bank shall not exceed the equivalent of the monthly percentage agreed for due performance computed on actual principal unpaid balances for the number of days actually elapsed, except that the charges retained by the bank may be increased to the extent that delinquency charges are computed on earned charges in accordance with the next succeeding sentence. Delinquency charges on any scheduled installment or portion thereof if contracted for may be taken at the monthly percentage agreed for due performance for the number of days delinquent and may be computed on the full amount of the delinquency including earned charges. For the purpose of this act, payment seven days or less prior to date of maturity shall not be deemed prepayment, and payment seven days or less after maturity shall not subject the borrower to additional interest.

Sec. 5. The following provisions shall apply to loans made under section 4 (a):

(a) Every such loan shall be repayable within a period of twenty-four months in approximately equal or declining installments of principal or of principal and charges combined, at approximately equal intervals and may be prepaid in whole or in part at any time. One or more of the periodic installments may be accelerated or deferred when the borrower's chief source of income makes such arrangement necessary, if the note or contract so provides and approximately one half of the entire amount be payable in the first half of the full period of the loan, and approximately one half of the entire amount in the last half of the full period of the loan.

(b) At the time any such loan is made, the bank shall give the borrower a copy of the note or contract evidencing the loan. Every note or contract evidencing such a loan shall state the principal amount of the loan and the rate of charge plainly expressed as a percentage per month computed on unpaid principal balances.

(c) The bank shall give the borrower a receipt showing the date and amount of each payment made on account of any such loan.

(d) No bank shall take, in connection with any such loan, any confession of judgment or any power of attorney to confess judgment or to appear for a borrower in a judicial proceeding, or any agreement to pay costs of collection or attorney's fees.

(e) No bank shall take a lien upon real estate as security for any such loan.

Sec. 6. No bank shall publish or disseminate any advertisement containing any false, misleading, or deceptive statement concerning the rates, terms, or conditions for personal loans. Every advertisement by a bank which states a charge or a payment schedule for personal loans shall also contain the rate of charge plainly expressed as a percentage per month computed on unpaid principal balances.

Sec. 7. (a) Every bank making loans under section 4 (a) shall segregate all papers and records pertaining to such loans. All such papers and records shall be prepared and kept in such a manner as to make accessible the information required for the annual report and to disclose whether this act is being complied with.

(b) Every bank making loans under section 4 (a) shall file with the department on or before March 15 of each year a report for the preceding calendar year, in form prescribed by the department, covering the annual volume and outstanding amounts of such loans, the gross income from and the expenses properly chargeable to such loans.

Sec. 8. The department shall:

(a) Publish annually a summary of the reports provided for in section 7 (b).

(b) Be responsible for obtaining proper administration of this act and take or cause to be taken such lawful steps as may be necessary and appropriate for the enforcement thereof.

(c) Have authority to make regulations, in addition to and not inconsistent with the provisions of this act, for the administration thereof and for obtaining compliance therewith.

(d) Arrange for investigation and examination of the papers and records pertaining to loans made under section 4 (a), for the purpose of discovering violations of this act or of securing information lawfully required under it.

Sec. 9. If any registered bank persists in violating any provisions of this act after having had prior violations thereof brought to its attention in writing by the department, the department shall, upon ten days' written notice stating the contemplated action and the grounds therefor and after reasonable opportunity to be heard, declare the registration of such bank to be terminated and no longer in effect, whereupon the authority of such bank to make loans under section 4 (a) shall cease. Such bank may not re-register for thirty days after the first such termination, nor for six months after any subsequent termination. No termination shall impair the obligation of any pre-existing lawful contract.

Sec. 10. If a bank violates any provision of sections 4 or 5 in making or collecting any loan made under section 4 (a), no charges of any kind shall be collected on such loan. If any charges have been collected the bank shall forfeit to the borrower all interest collected on the loan involved and a sum equal thereto, and the bank so offending shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not in excess of one hundred dollars."

(Signed) Peterson, Chairman

Judiciary

LEGISLATIVE BILL 50. Placed on General File.

LEGISLATIVE BILL 228. Indefinitely postponed.

LEGISLATIVE BILL 276. Indefinitely postponed.

LEGISLATIVE BILL 13. Indefinitely postponed with amendments.

Standing Committee amendments to L. B. 13:

1. Amend page 2 of the bill, section 1, line 3, by adding after the word "legal" the words "or official".

2. Amend page 2 of the bill, section 2, line 4, by striking the period and substituting a comma therefor, and then adding: "except as to publications specifically required by law to be published either one week in one issue, or less than fourteen days prior to the time the parties are required to appear, answer, or otherwise take cognizance thereof, as to which one publication shall be sufficient."

LEGISLATIVE BILL 298. Indefinitely postponed.

LEGISLATIVE BILL 371. Placed on General File with amendments.

Standing Committee amendments to L. B. 371:

1. Amend the bill, page 2, section 1, by striking all of lines 11, 12, 13 and the words "**shall be**" in line 14, and inserting in lieu thereof the following:

"**(b) If, by reason of the ingestion of alcoholic liquor, the nervous system, brain or muscles have so far been affected as to impair to an appreciable degree his ability to operate a motor vehicle in the manner in which an ordinarily prudent and cautious man in the possession of his faculties, and using reasonable care, would operate or drive a similar vehicle under like conditions. Competent evidence of a person being under the influence of alcoholic liquor shall be**"

2. Amend the bill, page 2, section 1, by inserting after the word and punctuation "offense." the following: "**The competent evidence above referred to in sub-divisions (1) and (2) shall not be exclusive**".

3. Amend the bill, page 2, section 1, lines 19, 20, 21 and 22 by striking the following: "**(3) Examination report forms filled out by a police officer at or about the time of the commission of the alleged offense.**"

(Signed) Gantz, Chairman

Government

LEGISLATIVE BILL 339. Placed on General File with amendments.

Standing Committee amendments to L. B. 339:

That section 2 be added to the bill to read as follows:

Section 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

LEGISLATIVE BILL 98. Indefinitely postponed.

(Signed) Doyle, Chairman

Enrollment and Review

Correctly engrossed

L. B. 55
L. B. 89
L. B. 149
L. B. 162
L. B. 170
L. B. 187
L. B. 389

Correctly enrolled

L. B. 133
L. B. 271

LEGISLATIVE BILL 59. Replaced on Select File with amendments.

E and R amendments to L. B. 59:

(a) Amend Enrollment and Review Committee amendment No. 2, 6th line, by striking the insertion: "**his or her**", and in lieu thereof, insert the word "a", and in Standing Committee amendment No. 4, page 2, line 46, after the word "his" and before the word "children", insert: "**or her**"; in line 24, strike the following: "**, or, if**", and in lieu thereof, insert: "**. If**", and in line 28, strike the punctuation "," after the word "**remain**".

LEGISLATIVE BILL 82. Replaced on Select File with amendments.

E and R amendments to L. B. 82:

1. In the bill, Section 1, page 2, line 34, strike the following: "his name was drawn as juror", and in lieu thereof, insert: "~~his name was~~ **their names were** drawn as ~~juror~~ **jurors**".

2. In the new Section 3, line 6 and lines 25 and 26, strike: "sixty-five" and in lieu thereof, insert: "~~sixty-five~~ **seventy**"; and in lines 33 and 34, strike: "his name was drawn as juror", and in lieu thereof, insert: "~~his name was~~ **their names were** drawn as ~~juror~~ **jurors**"; in lines 43 and 51, strike the words "he believes he", and in lieu thereof, insert: "~~he believes~~ **it is the belief of said person that** he **or she**";

in lines 49 and 50, strike the word "he", and in lieu thereof, in each line, insert: "he said juror"; in line 49, strike the word "him", and in lieu thereof, insert: "him said person".

3. In the bill, title, page 1, 4th line, after the word and punctuation "jurors;" and before the word "to", insert the following: "changing the maximum age of jurors from sixty-five to seventy years;".

Presented to Governor for Approval

Friday, March 5, 1943 at 4:30 p.m.

L. B. 186
L. B. 163
L. B. 125
L. B. 113
L. B. 110
L. B. 75
L. B. 74
L. B. 61
L. B. 58
L. B. 57

Presented to Secretary of State

Friday, March 5, 1943 at 4:40 p.m.

Legislative Bill 73, with the letter of disapproval of Governor attached thereto and also the action of the Legislature passing the same by the constitutional majority.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 133
Legislative Bill 271

Legislative Resolution 8.

STANDING COMMITTEE REPORTS (Continued)

Public Works

LEGISLATIVE BILL 325. Indefinitely postponed.

LEGISLATIVE BILL 128. Indefinitely postponed.

LEGISLATIVE BILL 250. Indefinitely postponed.

LEGISLATIVE BILL 405. Placed on General File.

LEGISLATIVE BILL 408. Placed on General File.

LEGISLATIVE BILL 286. Placed on General File.

LEGISLATIVE BILL 283. Placed on General File with amendments.

Standing Committee amendments to L. B. 283:

(1) Amend section 1, page 3, line 45 of the printed bill, by striking therefrom the words "an experienced" and inserting in lieu thereof the words, "a certified".

(2) Amend section 2, page 3, line 47 of the printed bill, by inserting after the word "organization", the following words and punctuation: "and shall be selected by the Auditor of Public Accounts".

(3) Amend section 1, page 3, beginning in line 56 of the printed bill, by striking out the following words and punctuation: "when a district fails to file an annual audit with the Auditor of Public Accounts within ninety days after the close of the fiscal year," and inserting in lieu thereof: "within one hundred and twenty days after December 31st of each year".

(4) Amend section 2, page 3, beginning in line 59 of the printed bill, by striking out "the", the first word in said line, and inserting in lieu thereof "The".

(5) Amend section 2, page 3, beginning in line 59 of the printed bill, by striking out after the word "shall" the following words and punctuation in lines 59 and 60: "cause an audit to be made of such district, charging", and inserting in lieu thereof the following word: "charge".

(6) Amend section 1, page 3, line 61 of the printed bill, by striking the period after the word "district" and inserting after the word "district" in line 61 of the printed bill, the following words and punctuation: "and each district shall pay to the Auditor of Public Accounts the reasonable cost thereof".

(7) Amend section 2, page 4, line 9 of the printed bill, by striking out the word: "repairs" and inserting in lieu thereof the word: "maintenance".

(8) Amend section 2, page 4, line 10 of the printed bill, by striking therefrom the words: "new machinery" and inserting in lieu thereof the words: "plant investments".

(9) Amend section 2, page 4, lines 10 and 11 of the printed bill, by striking therefrom the following words, figures and punctuation: "(5) amount expended in previous year for property purchased".

(10) Amend section 2, page 4, line 11 of the printed bill, by striking out the figure and parenthesis: "(6)" and inserting in lieu thereof the following figure and parenthesis: "(5)".

(11) Amend section 2, page 4, line 12 of the printed bill, by striking out the following parenthesis and number: "(7)" and inserting in lieu thereof: "(6)".

(12) Amend section 2, page 4, line 13 of the printed bill, by inserting after the word "energy" and before the semicolon the following punctuation and words: "comma including production cost, transmission cost and distribution cost".

(13) Amend section 2, page 4, lines 13 and 14 of the printed bill, by striking therefrom the following parenthesis, figure, words and punctuation: "(8) amount collected from the sale and rental of meters;".

(14) Amend section 2, page 4, lines 14, 15 and 16 of the printed bill, by striking therefrom the following parenthesis, figures, words and punctuation: "(9) total assessment made against property for the extension of lines; (10) detailed statement of all items of expense;".

(15) Amend section 2, page 4, line 17 of the printed bill, by inserting after the word "employees" and before the word "and", the following words and punctuation: "as of December 31st each year;".

(16) Amend section 3, page 4, line 6 of the printed bill by striking out the word "and" after the word "power" and before the word "public", the word "or" in lieu thereof.

(17) Amend section 3, page 4, line 6 of the printed bill, by inserting after the word "public" and before the word "irrigation", the words "power and".

(18) Amend section 3, page 5, line 11 of the printed bill, by striking the word "and" after the word "power" and before the word "irrigation" and inserting in lieu thereof the word "or".

(19) Amend section 3, page 5, line 11 of the printed bill, by inserting before the word "irrigation" the words "public power and".

(20) Amend section 3, page 5, line 14 of the printed bill, by striking out the word "and" after the word "power" and before the word "irrigation" and inserting in lieu thereof the word "or".

(21) Amend section 3, page 5, line 14 of the printed bill, by inserting before the word "irrigation" the words "public power and".

(Signed) Mischke, Chairman

Government

At a regular meeting of the Government Committee, held on January 29, 1943, at two o'clock p.m., the following motion was made.

Senator Peterson moved that the Committee on Government introduce a bill pertaining to salary schedule for all county officials, which schedules are to be based on a uniform classification of the counties by population. Seconded by Senator Conklin. Motion carried. Vote: Unanimous.

(Signed) Doyle, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 420. By Committee on Government, John F. Doyle of Greeley, Chairman

A bill for an act to amend sections 27-401, 26-904, 29-1804, 33-110, 33-122, 33-131, and 33-134, Compiled Statutes of Nebraska, 1929, and sections 29-1803, 33-111, 33-119, 33-129, and 39-1313, C. S. Supp., 1941, relating to salaries of county officers and deputies; providing for classification of counties for the purpose of fixing salaries of county officers and deputies; providing for the salaries therein; providing for traveling expenses; providing for deputies, clerks, and assistants and their salaries; providing that the provisions of this act shall not apply to incumbents in office; and to repeal original sections 26-904, 27-401, 29-1804, 33-110, 33-122, 33-131, and 33-134, Compiled Statutes of Nebraska, 1929, and sections 29-1803, 33-111, 33-119, 33-129, and 39-1313, C. S. Supp., 1941, and also to repeal section 33-133, Compiled Statutes of Nebraska, 1929, and sections 33-109, 33-112, 33-121, and 33-130, C. S. Supp., 1941.

MOTION—To Suspend Rules and Refer

Mr. Doyle moved that the rules be suspended and that L. B. 420 be referred at once.

The motion prevailed with 33 ayes, no nays, 10 not voting.

LEGISLATIVE BILL 420. Referred to Committee on Government.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 196.

A bill for an act to authorize the Department of Banking to sell, abandon or otherwise dispose of property and assets acquired by it, from the former Guarantee Fund Commission of the State of Nebraska, and all judgments and claims for stockholders' liability acquired by the department for the benefit of the former Depositors Guaranty Fund.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Hanna
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 180.

A bill for an act to amend section 79-2101, C. S. Supp., 1941, relating to schools; to provide for the transfer of children of school age from one district to another for school purposes; to prescribe the procedure therefor; to provide for cancellation of such a transfer by the county superintendent where the privilege of transfer is improperly used; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Garber
Hanna
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 154. E and R amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 177. E and R amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 366. E and R amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for review.

Approved by the Governor

March 8, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 61
L. B. 58
L. B. 75
L. B. 125
L. B. 163
L. B. 186
L. B. 57
L. B. 74

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

GENERAL FILE

Special Order 11:00 a.m.

LEGISLATIVE BILL 97. Mr. Matzke asked that unanimous consent be granted to lay the bill over for Special Order at 11.00 a.m. Tuesday, March 9, 1943.

No objection was offered. So ordered.

LEGISLATIVE BILL 106. Passed over. Retains place on File.

LEGISLATIVE BILL 188. Passed over. Retains place on File.

LEGISLATIVE BILL 301. Read and considered.

Referred to E and R for review with 15 ayes, 13 nays, 15 not voting.

LEGISLATIVE BILL 174. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Mr. Crosby offered the following amendment, which was adopted:

Amend Sec. 12, line 19, by inserting after the word "individuals" the words "over eighteen years of age".

Laid over. Retains place on File.

Adjournment

At 12:18 p.m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 9, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-fifth Day was approved as corrected.

Communications

A letter was read from Loren Hoschouer, Mayor of the Boys' Dormitory at Curtis, Nebraska, expressing appreciation of the new dormitory on the campus and promising best efforts in return.

Re-reference of Bills

The President announced that the following bills had been rereferred:

L. B. 320 from Committee on Labor and Public Welfare
to Committee on Agriculture

L. B. 346 from Committee on Labor and Public Welfare
to Committee on Agriculture

NOTICE OF COMMITTEE HEARINGS

Agriculture

L. B. 320, Thursday, March 18, 1943, 2:00 p.m.

L. B. 346, Thursday, March 18, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 362. Indefinitely postponed.

LEGISLATIVE BILL 385. Placed on General File with amendments.

Standing Committee amendments to L. B. 385:

(1) Strike the last four lines of the title and insert in lieu thereof the following: "Board of Education of State Normal Schools; to provide for the election of a vice president and secretary of said board; to provide that all records shall be kept in the secretary's office in the State Capitol; and to repeal the original section."

(2) Amend Section 1, line 4, after the word "president" by inserting the words "and vice president".

(3) Strike out the words in italics in lines 5, 6 and 7 and insert in lieu thereof the following: "The board shall also select a secretary whose office shall be in the State Capitol and all records of the board shall be kept in said office."

(Signed) Matzke, Chairman

Judiciary

LEGISLATIVE BILL 257. Placed on General File with amendments.

Standing Committee amendments to L. B. 257:

1. Amend the bill, page 2, section 1, lines 18 to 32, by striking the words "The Supreme" in line 18, and all of lines 19 to 32, inclusive, and substituting the following in lieu thereof:

"The Legislature shall have the exclusive power to prescribe the standards and qualifications for admission to practice law. The Supreme Court may make general rules for the examination and admission of applicants to carry into effect the standards and qualifications prescribed by the Legislature, but such rules shall be subordinate to and not contravene any legislative act with reference thereto."

2. Amend page 3 of the bill, section 2, by striking all of lines 13 to 27, and inserting the following in lieu thereof:

"The Legislature shall have the exclusive power to prescribe the standards and qualifications for admission to practice law. The Supreme Court may make general rules for the examination and admission of applicants to carry into effect the standards and qualifications prescribed by the Legislature, but such rules shall be subordinate to and not contravene any legislative act with reference thereto. □"

3. Amend the title, lines 4 to 11, by striking the words "to give to the" in line 4, all of lines 5. 6, 7, 8, 9, and 10, and the words "admitted to practice law" in line 11, and substituting the following in lieu thereof:

"to limit the power of the Supreme Court to make rules for the examination and admission of applicants to practice law; to provide that the Legislature shall have the exclusive power to prescribe the standards and qualifications for admission to practice law."

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL 214. Placed on General File with amendments.

Standing Committee amendments to L. B. 214:

1. Amend the title, line 3, by striking the word "and" and inserting after the figures "60-1016" and before the punctuation the following:
"and 60-325"

2. Amend the title, line 5, by inserting after the word "to" and before the word "motor" the following words: "and registration and license of"
and also by striking the word "vehicle" and substituting in lieu thereof the word: "vehicles".

3. Amend the title, line 11, by inserting after the semi-colon following the word "thereof" the following:

"to provide the amount of fees to be received by county treasurers for each registration of motor vehicles."

3-a. Amend Page 2, Section 1, by striking everything after the word "concerned" in line 19 to and including line 22.

4. Amend page 19 of the bill by adding a new section, numbered 10, immediately following section 9, reading as follows:

"Sec. 10. That section 60-325, C. S. Supp., 1941, be amended to read as follows:

60-325. The treasurers of the various counties shall be agents of the Department of Roads and Irrigation in such counties, for the purpose of registering motor vehicles, and for the granting of licenses, to the applicants, subject to the requirements of this article, and in accordance with such rules and regulations as shall be imposed by the Department of Roads and Irrigation, and as provided in section 39-1405, Compiled Statutes of Nebraska, 1929, shall receive five **as such agent ten** cents for each original registration as such agent **on which a fee is charged to the owner.**

5. Amend page 19 of the bill, present section 10, line 1, by striking the section number "10" and inserting in lieu thereof the figures "11".

6. Amend page 6, section 4, line 49 by adding after the word "title" the following: **The county clerk upon receipt of a lien instrument duly signed by the owner in the manner prescribed by law governing such lien instruments together with the fee prescribed for notation of lien shall notify the first lienholder to deliver to the county clerk within fifteen days from date of notice the certificate of title to permit notation of such junior lien, after such notation of lien the county clerk shall deliver the certificate of title to the first lienholder. The holder of certificate of title who refuses to deliver a certificate of title to the county clerk for the purpose of showing a junior lien on such certificate of title, within fifteen days from date of notice when notified to do so by the country clerk, shall be liable for damages to such junior lienholder for the amount of damages such junior lienholder suffered by reason of the holder of the certificate of title refusing to permit the showing of such lien on the said certificate of title.**

7. Amend page 6, Section 4, line 62, by striking the word "ten" and substituting in lieu thereof "fifteen".

8. Amend page 7, Section 4, line 73, by inserting after the word "owner" the words "or as otherwise directed by the owner".

9. Amend pages 13 and 14 of the bill by striking all of the matter appearing thereon and substituting the following in lieu thereof:

"Witness my hand and official seal this ....

day of ...., 19......,

(SEAL)

....
(County Clerk)

By............................
(Deputy)

The "manufacturer's certificate" shall be in the following form:

MANUFACTURER'S
STATEMENT OF ORIGIN
TO A MOTOR VEHICLE

The undersigned CORPORATION hereby certifies that the new motor vehicle described below, the property of said CORPORATION, has been transferred this .... day of .... 19... on Invoice No. .... to ....
(Distributor, Dealer, etc.)

whose address is .... City ....
(Street)

State ....

Trade Name .... Year ...... Series or Model............

Body Type .... No. Cylinders ....

Engine No. .... Serial No..................

H.P. (SAE) .... Shipping Weight............

The CORPORATION further certifies that this was the first transfer of such new motor vehicle in ordinary trade and commerce.

....
(Corporation)

BY..............................

....
(Address)

An "assignment of a manufacturer's certificate" shall be in the following form and shall be printed on the reverse side of said manufacturer's certificate as many times as convenient:

ASSIGNMENT OF MANUFACTURER'S CERTIFICATE

State of Nebraska }
} ss
County of........................}

The undersigned, being the owner of the motor vehicle described in the within manufacturer's certificate, hereby sells and assigns all his right, title and interest in and to said manufacturer's certificate and the motor vehicle therein described to:

....
(Name of Assignee) (Address of Assignee in Full)

The undersigned states and warrants that there are no mortgages, liens or encumbrances on said motor vehicle.

....
(Signature of Assignor)

Sworn to before me and subscribed in my presence this ....

day of .... 19....

....
(Notary Public)

An "application for a memorandum certificate" shall be in the following form:

APPLICATION FOR MEMORANDUM
CERTIFICATE

State of Nebraska }
} ss
County of .... }

The undersigned hereby represents that he is the holder of certificate of title number .... issued by the Clerk of .... County, Nebraska, for the following described motor vehicle:

Make	Body Type	Mfr's Serial No.	Mot. No.	Yr. Made

....

and that he is the lawful owner of said motor vehicle and is entitled by law to receive a memorandum certificate therefor.

....
(Signature of Applicant)

LEGISLATIVE BILL 379. Correlated with L. B. 214.

(Signed) Mischke, Chairman

Appropriations

LEGISLATIVE BILL 412. Placed on General File.

LEGISLATIVE BILL 411. Placed on General File.

(Signed) Greenamyre, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 287. Placed on General File with amendments.

Standing Committee amendments to L. B. 287:

1. Amend the title, lines 2 and 3 by striking the words and punctuation "repeal sections 59-505, 59-506, and 59-507, Compiled Statutes

of Nebraska, 1929, and" and substituting in lieu thereof the word "amend".

2. Amend page 2 of the bill by striking section 1, and inserting the following in lieu thereof:

Section 1. That section 59-527, C. S. Supp., 1941, be amended to read as follows:

59-527. ~~If complaint shall be made to the attorney general that any corporation is guilty of unfair discrimination as defined by this Act, he shall investigate such complaint and for that purpose he may subpoena witnesses, administer oaths, take testimony and require the production of books and other documents, and, if in his opinion sufficient grounds exist therefor, he may prosecute an action in the name of the state of Nebraska in the proper court to annul the charter or revoke the permit of such corporation as the case may be, and to permanently enjoin such corporation from doing business in this state; and if in such action the court shall find that such corporation is guilty of unfair discrimination as defined by this article, such court shall annul the charter or revoke the permit of such corporation, and may permanently enjoin it from transacting business in this state.~~ **Any corporation, joint stock company, or other association that shall have been twice adjudged to have violated the provisions of sections 59-523 to 59-526, both inclusive, C. S. Supp., 1941, by a final judgment of any court having jurisdiction of the question and who shall thereafter violate section 59-523 to 59-526, both inclusive, C. S. Supp., 1941, shall no longer be allowed to engage in business in this state; Provided, such prohibition shall only be enforced after such corporation, joint stock company, or other association shall have been enjoined against further engaging in such business on an information or suit brought in a court of competent jurisdiction by the Attorney General in behalf of this state. The Attorney General may, unless he shall be satisfied such corporation, joint stock company, or other association has desisted and abstained and will in the future desist and abstain from such violation, enforce the provision by proceeding, either by information or by indictment, as he may in his discretion think best. Any corporation, joint stock company, or other association which shall be charged with violating sections 59-523 to 59-526, both inclusive, C. S. Supp., 1941, and any president, director, treasurer, officer, or agent thereof may be enjoined as a party in any proceeding, civil or criminal, to enforce sections 59-523 to 59-526, both inclusive, C. S. Supp., 1941. If, in the judgment of the Attorney General, such corporation, joint stock company, or other association against which proceedings may be instituted be one on which the public is so depending that the interruption of its business will cause serious public loss or inconvenience, he may, in his discretion,** refrain from proceeding to obtain a decree which will absolutely prevent the continuance of such business, and may apply for a limited or conditional decree, or one to take effect at a future day, as the public interests shall seem to require. If, in the judgment of the court before whom such proceeding may be pending the interruption of the business of the defendant corporation, joint stock company, or other association will cause such serious public loss or inconvenience, the court may decline to enter an absolute decree enjoining it against proceeding with its business and may enter a conditional decree, or such decree to take effect at a future time as justice shall require. The court may also, in its discretion, enjoin such officers or agents or servants of such corporation, joint stock company, or other association from continuing in its service, and enjoin any such corporation, joint stock company, or other association from continuing their employment therein, as the case shall seem to require.

Sec. 2. This act shall in no manner affect pending actions either civil or criminal founded on or growing out of any statute hereby amended or repealed.

Sec. 3. That original section 59-527, C. S. Supp., 1941, and also sections 59-528 and 59-529, C. S. Supp., 1941, are repealed.

(Signed) Peterson, Chairman

Enrollment and Review

Presented to the Governor for approval

Tuesday, March 9, 1943, at 9:00 a.m.

L. B. 271 L. B. 133 L. B. 84

(Signed) James H. Anderson, Chairman

Education

LEGISLATIVE BILL 384. Placed on General File with amendments.

Standing Committee amendments to L. B. 384:

1. Amend page 2 of the bill by adding a new section at the beginning, numbered 1, reading as follows:

"Section 1. As used in this act: (1) The term 'teacher' shall mean and include all full time certificated educational employees, except substitute teachers; and shall include full time school nurses duly licensed by the State of Nebraska; and (2) The term 'school board' shall mean the governing board or body of any school district or high school district in this state."

2. Amend page 2 of the bill by striking all of present section 1 and inserting the following section, numbered 2 in lieu thereof:

"Sec. 2. All teachers, as defined in section 1 of this act, in the public schools in cities in this state that now have or hereafter attain a population of two thousand inhabitants or more, according to the latest United States census, shall, upon first employment, be classified as probationary teachers and shall be deemed to be in a probationary period, during which period any annual contract with any such teacher may or may not be renewed as the employing school board shall see fit. After a probationary teacher has once been elected to a position by the school board, such person shall be deemed to be re-elected under the same contract until a majority of the members of the school board vote on or before April 1 of any year to terminate the contract at the close of the contract period or until the contract is superseded by a new contract mutually agreed to by the school board and the teacher."

3. Amend pages 2 and 3 of the bill by striking all of present section 2 and inserting the following in lieu thereof:

"Sec. 3. Any person who has served, or who shall serve, under a contract as a teacher for three successive school years in a Nebraska public school system located in a city in this state that now has or may hereafter attain a population of two thousand or more inhabitants, according to the latest United States census, and who begins under contract a fourth year of service with such school board, shall thereupon become a permanent teacher unless, by a majority vote of the school board, the time be extended one or two years before such teacher becomes a permanent teacher."

4. Amend page 3 of the bill, by striking the section numbered "3" and inserting in lieu thereof the figure "4".

5. Amend page 3 of the bill, present section 3, line 9, by striking the word "district" and inserting in lieu thereof the word "board".

6. Amend page 3 of the bill, present section 3, lines 17 to 25, by striking all of line 17 after the punctuation following the word "system", and all of lines 18 to 25 inclusive.

7. Amend pages 3 and 4 of the bill by striking all of present section 4.

8. Amend page 5, section 5, line 4, by inserting after the word "teachers" the words and punctuation: ", as defined in section 1 of this act,"

9. Amend page 5, section 5, lines 5 to 7, inclusive, by striking the words "credit shall" in line 5 and all of lines 6 and 7, and substituting the following in lieu thereof: "may, in the discretion of the school board, be given credit for previous experience toward attaining permanent tenure status."

10. Amend page 4 of the bill, by striking all of section 6.

11. Amend page 4 of the bill, by striking the section numbered "7" and inserting in lieu thereof the figure "6".

12. Amend page 4 of the bill, present section 7, lines 2 and 3, by striking the words "of any such school district".

13. Amend page 4 of the bill, present section 7, line 4, by inserting after the word "the" and before the word "board" the word "school".

14. Amend page 4 of the bill, present section 7, line 7, by striking the word "principal" and inserting in lieu thereof the word "principals".

15. Amend page 4 of the bill, present section 7, line 10, by striking the word "him" and inserting in lieu thereof: "the school board, within the time fixed by the board".

16. Amend page 4 of the bill, present section 7, line 12, by striking the word "district" and inserting in lieu thereof the word "board".

17. Amend page 5 of the bill, present section 7, line 18, by striking the word "hearing" and substituting in lieu thereof the word "statement".

18. Amend page 5 of the bill, present section 7, line 19, by striking the word "governing".

19. Amend page 5 of the bill, present section 7, lines 23 and 24, by striking the words: "At the option of the teacher, the hearing may be public or private."

20. Amend page 5 of the bill, by striking all of section 8, and substituting the following in lieu thereof:

"Sec. 7. Nothing contained in this section shall prevent the suspension from duty of a permanent teacher pending a decision on the cancellation of his contract. Cancellation of an indefinite contract may be made for, (1) incompetency; (2) physical disability or sickness of any type which interferes with the performance of duty; (3) insubordination, which shall be deemed to mean a willful refusal to obey the school laws of this state, the rulings of the Superintendent of Public Instruction, or reasonable rules and regulations prescribed for the government of the schools of the district, by the school board; (4) neglect of duty; (5) immorality; (6) failure to give evidence of professional growth, or (7) justifiable decrease in the number of teaching positions or other good and just cause, but may not be made for political or personal reasons. When the cause of cancellation of an indefinite contract is for immorality or insubordination, the cancellation shall go into effect immediately, and for all other causes cancellation shall take effect at the end of the current school term. The decision of a school board to cancel an indefinite contract shall be final."

21. Amend pages 5 and 6 of the bill by striking all of paragraph 9.

22. Amend page 6 of the bill, by striking all of section 10, and substituting the following in lieu thereof:

"Sec. 8. Every six years permanent teachers shall give such evidence of professional growth as is approved by the school board in order to remain eligible to the benefits of this act. Educational travel, professional publications, work on educational committees, six semester hours of college work or such other activity approved by the school board may be accepted as evidence of professional growth."

23. Amend page 6 of the bill, present section 11, line 1, by striking the word "district" and substituting in lieu thereof the word "board".

24. Amend page 6 of the bill, present section 11, line 6, by striking the word "district" each time it appears in this line and substituting in lieu thereof the word "board".

25. Amend the title, page 1, line 3, by striking the word "ten" and substituting in lieu thereof the word "two".

(Signed) Matzke, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 178. With emergency clause.

A bill for an act to amend section 24-1210, C. S. Supp., 1941, relating to change of registration of agents of nonresident corporations; to provide for resignation of such agents and prescribing procedure in regard thereto; to provide that upon failure of the nonresident corporation to appoint another agent, service of process may be made upon the Secretary of State, as agent of the corporation; prescribing certain procedure when such service is had; providing that a foreign corporation, failing to maintain such an agent, may be barred from doing business in this state and for an entry and record thereof; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Norman
Peterson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 59. E and R amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 82. E and R amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

March 9, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills. viz:

L. B. 113
L. B. 110
L. B. 133
L. B. 271

Respectfully submitted,
(Signed) Jean Spencer
Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL 174. Mr. Raecke offered the following amendment, which was adopted:

Amend Section 5, line 7 by striking the word "public" and insert in lieu thereof the word "publish".

Mr. Crosby offered the following amendment, which was adopted:

Amend the Crosby amendment, found in the Legislative Journal for the Forty-fifth Day, by striking the word "eighteen" and inserting in lieu thereof the word "sixteen".

Referred to E and R for review.

LEGISLATIVE BILL 106. Passed over. Retains place on File.

LEGISLATIVE BILL 188. Passed over. Retains place on File.

LEGISLATIVE BILL 306. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 304. Read and considered.

Referred to E and R for review.

Mr. Tvrdik presiding

Special Order 10:00 a.m.

LEGISLATIVE BILL 232. Read and considered.

Mr. Raecke moved that Standing Committee amendments 2 to 7 inclusive, found in the Legislative Journal for the Forty-second Day, be adopted.

(At 11:00 a.m. by unanimous consent it was agreed that L. B. 97, on special order for that hour, be passed over until L. B. 232 and L. B. 60 be disposed of.)

Mr. Mekota presiding

Mr. Raecke's motion prevailed with 30 ayes, 10 nays, 3 not voting.

Standing Committee amendment No. 1 was adopted.

Mr. Reavis offered the following amendment, which was adopted:

Amend the bill by adding a new section 3 as follows:

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

Mr. Carmody offered the following amendment, which was adopted:

Amend Standing Committee amendment No. 7 as follows: Strike the words and punctuation in line 3 of said amendment "over the age of twenty-one years," and insert in lieu thereof the words and punctuation "between the ages of twenty-one and sixty-six years,".

Referred to E and R for review.

MOTION—To Suspend Rules and Instruct

Mr. Mischke moved that the rules be suspended and that the Committee on Enrollment and Review be instructed to give L. B. 232 prior consideration and report same to Select File, March 10, 1943.

The motion prevailed with 35 ayes, 1 nay, 7 not voting.

LEGISLATIVE BILL 60. Read and considered.

Standing Committee amendment No. 4, found in the Legislative Journal for the Forty-second Day, was adopted.

Mr. Raecke offered the following amendment:

1. Strike Standing Committee Amendment 3.

2. Strike Standing Committee Amendment 5, and amend page 5 of the bill, section 1, by striking all of lines 121 to 130 and substituting the following in lieu thereof:

"(5) After June 30, 1943, the gasoline tax fund shall be distributed by the State Treasurer as follows:

(a) Twenty per cent of the gasoline tax fund, less such amount thereof as shall be necessary to provide the identifying chemicals required in section 66-437, C. S. Supp., 1941, shall first be credited and shall inure to the State Assistance Fund;

(b) The State Treasurer shall then pay out of the gasoline tax fund, after the twenty per cent thereof allocated for the State Assistance Fund is first deducted, all warrants drawn by the Auditor of Public Accounts for motor vehicle fuel tax refunds;

(c) After distribution and payment of the amounts above set forth, three-eighths **of the balance** ~~instead of thirty per cent~~ of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner and for the same uses as hereinabove provided; and

(d) The other five-eighths of the balance remaining in said fund shall be transferred to the Department of Roads and Irrigation in the same manner and for the same uses and purposes as are hereinabove provided in this section."

3. Strike Standing Committee Amendment 2 and amend the title by striking lines 5, 6, 7, 8, 9, 10, and 11, and inserting the following in lieu thereof: "to extend and continue tax at the rate of five cents per gallon on all motor vehicle fuels; to provide for the allocation and distribution thereof, the funds to which the same shall be credited; and the use made thereof; to repeal the original section;".

Adjournment

At 12:20 p.m. on motion by Mr. Crosby the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 10, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Hubka, Brodahl, Crossland and Jeffords who were excused, the last named three being on an inspection tour for the Committee on Appropriations.

The Journal for the Forty-sixth Day was approved as corrected.

PETITIONS AND MEMORIALS

The following members introduced petitions: Messrs. James H. Anderson and Tom C. Osborne, one opposing L. B. 253; Mr. Sorrell one, opposing chain stores.

NOTICE OF COMMITTEE HEARINGS

Public Health & Miscellaneous Subjects

L. B. 108, Wednesday, March 24, 1943, 2:00 p.m.

L. B. 164, Wednesday, March 24, 1943, 2:00 p.m.

L. B. 231, Wednesday, March 24, 1943, 2:00 p.m.

Banking, Commerce & Insurance

L. B. 419, Tuesday, March 16, 1943, 2:00 p.m.

MOTION—To Suspend Rules for Hearing

Mr. Mekota moved that the rules be suspended and that the Claims Committee be permitted to hold a special hearing on

Thursday, March 18, 1943 at 3:00 p. m.

The motion prevailed with 31 ayes, no nays, 12 not voting.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 416. Placed on General File.

(Signed) Greenamyre, Chairman

Banking, Commerce & Insurance

LEGISLATIVE BILL 255. Placed on General File with amendments.

Standing Committee amendments to L. B. 255:

1. Amend the title of the bill, line 11, by striking the period following the word "law" and inserting in lieu thereof the following:

"; and to provide for penalties."

2. Amend page 3 of the bill, section 6, lines 3 and 4, by striking the words "determine whether they conform with the provisions of this act." and substitute in lieu thereof: "approve the same in writing if it is satisfied that the articles of association and by-laws conform to the provisions of this act, and that the character of the applicants and the conditions existing are favorable for the success of the association."

3. Amend page 4 of the bill, section 10, line 10, by striking the word "residence".

4. Amend page 4 of the bill, section 10, line 15, by striking the words and punctuation ", transferred,".

5. Amend page 4 of the bill, section 11, line 3, by striking the word "are" and inserting in lieu thereof the word "as".

6. Amend page 5 of the bill, section 14, line 12, by striking the word "fifty" and inserting in lieu thereof the word "forty".

7. Amend page 5 of the bill, section 14, lines 18 to 21, inclusive, by striking after the semi-colon all of the subsection (3).

8. Amend page 5 of the bill, section 14, line 22, by striking the number "4" and inserting in lieu thereof the number "3".

9. Amend page 6 of the bill, section 14, lines 27 to 29, by striking all of subsection "(j)".

10. Amend page 6 of the bill, section 14, line 29, by striking the letter "(k)" and substituting in lieu thereof the letter "(j)".

11. Amend page 6 of the bill, section 14, lines 31 and 32, by striking the words: "and in the Nebraska Credit Union League".

12. Amend page 6 of the bill, section 15, lines 10 and 11, by striking therefrom the following: "or to groups within a well-defined neighborhood, community or rural district;" and inserting in lieu thereof a comma.

13. Amend page 6 of the bill, section 15, line 14, by striking the word "rural" and inserting in lieu thereof "farm".

14. Amend page 6 of the bill, section 15, lines 17 and 18, by striking the words "and of federal credit unions operating in this state".

15. Amend page 6 of the bill, section 15, lines 19 and 20, by striking the following: "and credit unions, both state and federal chartered, operating in this state,".

16. Amend Section 22, line 5, by inserting after the word "union" the following: "may appoint an agent with authority" and also by striking the words "so as".

17. Amend page 10 of the bill, section 29, lines 5 and 6, by striking the following: ", nor if any member of the committee shall disapprove thereof." and inserting a period after the word "committee" in line 5.

18. Amend page 12 of the bill, section 34, by striking all of the matter included in the section and inserting in lieu thereof the following: "No credit union shall pay any commission or compensation for securing members or for the sale of its shares."

19. Amend page 15 of the bill, section 49, line 1, by inserting after the words "real estate" the words "tangible personal property".

20. Amend page 15 of the bill, section 49, line 4, by inserting after the word "taxes" and before the punctuation the following: "on intangible property".

21. Amend page 15 of the bill, section 49, line 5, by striking the word "earnings" and substituting in lieu thereof the words "interest income".

22. Amend page 15 of the bill, section 49, line 7, by striking the word "earnings" and substituting in lieu thereof the words "interest income".

23. Amend page 16 of the bill, by adding two new sections to read as follows:

"Sec. 52. The credit union organized under this act shall not loan to any one member more than twenty times the par value of the shares held by such member. No member shall receive any loan without first pledging his shares to the association as security for the repayment of such loan.

"Sec. 53. It shall be unlawful for any incorporator, officer, agent or employee of any credit union to pay or cause to be paid or agree to pay, either directly or indirectly, or for any person, firm or corporation to accept, either directly or indirectly from such credit union, any sum of money in excess of twenty-five dollars for promotion expenses. Any contract made in violation of this section shall be void and any person, firm or corporation guilty of violating any of the provisions of this section, shall be fined in a sum not exceeding one hundred dollars or imprisoned in the county jail of the county for a period not exceeding three months."

LEGISLATIVE BILL 344. Indefinitely postponed.

(Signed) Peterson, Chairman

Agriculture

LEGISLATIVE BILL 328. Placed on General File.

LEGISLATIVE BILL 331. Placed on General File.

LEGISLATIVE BILL 374. Placed on General File with amendments.

Standing Committee amendments to L. B. 374:

1. Amend page 2 of the bill, section 1, line 25, by inserting after the word "that" the following:

"that in any county where there is not more than one abstracter of title residing in the county, and no company or corporation engaged in the business of compiling abstracts of title, having an office located therein, bonded abstracts of title, having an office located therein, bonded abstracters from other counties may compile abstracts from the records of such county and certify to the same. The"

2. Amend page 3 of the bill, section 1, line 48, by inserting after the punctuation following the word "corporation" the following: **"except as hereinbefore provided."**

(Signed) Neubauer, Chairman
By Louis M. Jeppesen

Revenue

LEGISLATIVE BILL 199. Placed on General File with amendments.

Standing Committee amendments to L. B. 199:

1. Amend the bill, section 1, by striking all matter beginning with the word "**and**" after the word "**trade**" in line 8, all of lines 9, 10, 11, 12, 13, to and including the word and punctuation "**property,**" in line 14.

2. Amend the title, line 9, by striking the punctuation and words "; and to declare an emergency".

LEGISLATIVE BILL 321. Placed on General File with amendments.

Standing Committee amendments to L. B. 321:

1. Amend the bill, section 1, line 1, by inserting after the word "villages" the following ", except cities of the metropolitan class," .

2. Amend the bill, section 1, line 2, by inserting after the word "a" the words "tax of not to exceed", and by striking the word "levy" after the word "mill".

3. Amend the bill by adding a new section as follows:

"Sec. 2. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title, line 3, by inserting after the word "villages" the punctuation and words ", except cities of the metropolitan class".

5. Amend the title, line 3, by inserting after the word "a" the words "tax of not to exceed".

6. Amend the title, line 4, by striking the word "levy".

7. Amend the title, line 8, by inserting after the word "area" the punctuation and words "; and to declare an emergency".

LEGISLATIVE BILL 309. Placed on General File with amendments.

Standing Committee amendments to L. B. 309:

1. Amend the bill, page 2, section 1, line 5, by inserting after the word "subdivision" the following: ", or a representative or trustee thereof,".

LEGISLATIVE BILL 241. Indefinitely postponed.

LEGISLATIVE BILL 373. Indefinitely postponed.

LEGISLATIVE BILL 312. Indefinitely postponed.

LEGISLATIVE BILL 16. Indefinitely postponed.

(Signed) Raecke, Chairman

Government

LEGISLATIVE BILL 342. Indefinitely postponed.

(Signed) Doyle, Chairman

Approved by the Governor

March 9, 1943.

To the President, the Speaker and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 84.

Respectfully submitted,
(Signed) Jean Spencer,
Secretary to the Governor

REPORT—Committee on Agriculture

Mr. President: The Agriculture Committee, by a majority vote of its members, voted to introduce a resolution so that butter made from Nebraska No. 1 cream may continue to be classed and known as "Standard A Grade".

(Signed) Neubauer, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 11. Grading Butter and Cream

Introduced by Committee on Agriculture, E. M. Neubauer of Harlan, Chairman.

WHEREAS, the Department of Agriculture of the United States has recently revised the standards of quality of butter, substituting for an official point score an alphabetical score of AA, A, B, and C grades; and

WHEREAS, the statutes of Nebraska prescribe grades of cream and require a higher price to be paid for No. 1 cream than for undergrades, and for over twenty years, the butter made from Nebraska No. 1 cream has been graded and sold in the butter markets of the United States as "Standard 90 Score", and is the top grade of butter sold and consumed in this and many other states; and

WHEREAS, the revised grade of butter established by the Department of Agriculture of the United States classifies this butter, made from Nebraska's No. 1 cream. Grade "B", thereby misleading consumers to believe it is a second or inferior grade of butter; therefore,

BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Secretary of the Department of Agriculture is requested to rescind the Revised Official United States Standards for grade of creamery butter which became effective February 1, 1943, and restore the former standards, or to revise such standards so that butter made from Nebraska No. 1 cream may continue to be classed and known as "Standard A Grade".

2. That a copy of this resolution be suitably engrossed by the Clerk of the Legislature, and sent to the Secretary of Agriculture of the United States, and to each of the Senators and Representatives from Nebraska in the Congress of the United States.

REPORT—Committee on Appropriations

Mr. President: At a regular meeting of the Committee on Appropriations held on March 5, 1943, at two o'clock, the following motion was presented by Senator Hanna seconded by Senator Mueller:

"I move that a bill be drafted and introduced by the Committee on Appropriations, pertaining to the Department of Justice; providing for the appointment of a deputy attorney general; the salary to be determined by the Attorney General."

Motion carried by unanimous vote.

(Signed) Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 421. By Committee on Appropriations,
H. G. Greenamyre of Madison, Chairman.

A bill for an act to amend section 84-206, Compiled Statutes of Nebraska, 1929, relating to the powers and duties of the Attorney General; to provide that it shall be mandatory for the Attorney General to appoint a deputy; to provide that the salary of the deputy attorney general shall be fixed by the Attorney General; and to repeal the original section.

MOTION—To Suspend Rules

Mr. Gutoski moved that the rules be suspended and that L. B. 232 and L. B. 60 be taken up instead of bills on third reading.

The motion was lost with 6 ayes, 15 nays, 22 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL 171.

Mr. James H. Anderson moved that the bill be recommitted to the Committee on Enrollment and Review for correction. The motion prevailed.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 252.

A bill for an act to amend sections 54-153, 54-154, 54-160, and 54-169, C. S. Supp., 1941, relating to brand inspection; to provide that the members of the Nebraska Brand Committee, other than the Secretary of State, shall be appointed by the Governor; to provide for the terms of office and the qualifications of members of the commission; to provide a change in the penalties provided for the violation of certain sections of the brand inspection act; to prescribe the venue for prosecutions for violation thereof; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Crosby
Crossland
Hubka
Jeffords
Lee
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 158.

A bill for an act to amend section 39-11,100 C. S. Supp., 1941, relating to rules of the road for vehicles; to provide for a maximum fine upon a first conviction; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Crossland
Hubka
Jeffords
Lee
Peterson
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 70.

A bill for an act to amend section 77-2528, C. S. Supp., 1941, relating to investment of public funds; providing that whenever any county, city, village, school district or other governmental subdivision shall have accumulated a surplus in its general fund, in excess of its current needs, the governing body thereof may invest such surplus in such fund in any securities in which the Board of Commissioners of Educational Lands and Funds is authorized by law to invest the educational funds of the state; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Brodahl
Crossland
Hubka
Jeffords
Lee
Osborne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 62.

A bill for an act to amend section 17-202, Compiled Statutes of Nebraska, 1929, relating to election of members of the village board of trustees; providing for the election of two trustees, for a term of one year, and three trustees, for a term of two years, at the first election after the incorporation of a village, and the number of trustees elected, for a two year term, at elections thereafter, which provision expressly is not to affect the number of trustees elected at any election, in villages now incorporated, as now established; providing for deciding a tie vote on the election of members of the board of trustees by lot; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Crosby
Crossland
Doyle
Hubka
Jeffords
Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 32. With emergency clause.

A bill for an act to amend sections 77-1602, 77-1806 and 77-1807, Compiled Statutes of Nebraska, 1929, and sections 77-1804 and 77-1805, C. S. Supp., 1941, relating to revenue and taxation; granting to county boards, in counties having a population of two hundred thousand or more, authority, in their discretion, to cause to be used unit tax ledgers in lieu of tax lists; providing for the compilation, preparation and delivery of unit tax ledgers, and the manner and method of application of unit tax ledgers in the levy and collection of taxes; to repeal the original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

A call of the House was ordered.

Roll call showed 33 members present, 12 absent.

Mr. Hanna moved to raise the call.

The motion prevailed with 33 ayes, 6 nays, 4 not voting.

On passage of the bill:

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Crossland
Gantz
Garber
Hubka
Jeffords
Osborne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: Had I been present, I would have voted "aye" on L. B. 32.

(Signed) Gantz, Garber

Visitor

Speaker Robert B. Crosby introduced the Honorable George W. Norris, who addressed the Legislature in response to invitation extended through Resolution 2.

The Speaker then presented to Mr. Norris a booklet, containing editorial excerpts taken from the Congressional Record, compiled by Mr. F. A. Good of Lincoln, Nebraska.

STANDING COMMITTEE REPORTS

Enrollment & Review

LEGISLATIVE BILL 171. Replaced on Select File with amendments.

E and R amendments to L. B. 171:

(A) Amend the bill by striking the punctuation ".", reinserted in the bill, Section 1, page 3, line 35, by legislature amendment No. 3 by Mr. James H. Anderson, and strike the word "**The**" in said line, which was part of the insertion made by legislature amendment No. 4 by Mr. James H. Anderson, and in lieu thereof, insert: "~~.~~ ; **Provided, however, that the**" and in the bill, Section 1, page 3, line 36, after the matter inserted in said line by legislature amendment No. 5 of Mr. Anderson, and before the word "by", insert the following: "**, to any other person, firm or corporation,**" ; in line 37, page 3, Section 1, strike "**Provided,**" , and in lieu thereof, insert: "**and provided further, that**".

(B) In Enrollment and Review Amendment No. 2, which refers to the title of the bill, after the words and punctuation: "purchase at a tax foreclosure sale," insert the following: "to any person, firm or corporation".

Correctly enrolled

Legislative Bill 196 Legislative Bill 178

Correctly engrossed.

L. B. 154 L. B. 31

L. B. 116 L. B. 41 L. B. 40

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 196 Legislative Bill 178

REQUEST—To Recall L. B. 232

Mr. Raecke asked that unanimous consent be granted to recall L. B. 232 from the Committee on Enrollment and Review to General File for the consideration of Specific amendments.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 232. Mr. Raecke offered the following Specific Amendments, which were adopted:

1. In the bill, Section 1, page 2, line 3, strike the word "A" before the word "tax", and in lieu thereof, insert: "~~A~~ (1) **On and after March 1, 1945, a**".

2. In the bill, Section 1, page 2, lines 5 and 6 and also line 12, as changed by Standing Committee amendment No. 2, strike the words "between the ages of twenty-one and" , and in lieu thereof, insert: "**who is** ~~between the ages of~~ **twenty-one years of age or older, but has not yet attained the age of** ~~and~~".

3. Strike Standing Committee amendments Nos. 3 and 4, and in the bill, Section 1, page 2, strike all of line 6, after the word "years" and the words "as a poor person" in line 7, and in lieu thereof, insert: "**and** who is sane and not a public charge , as a poor person **or recipient of blind assistance,**".

4. In the bill, Section 1, page 2, line 8, strike all of said line after the word "The", all of line 9 and the words and punctuation "be, shall" in line 10, and in lieu thereof, insert: "**county** board ~~of county commissioners or supervisors~~ of each county in this state ~~, as the case may be,~~ shall **, on and after March 1, 1945,**".

5. Strike Standing Committee amendments Nos. 5 and 6, and in the bill, Section 1, page 2, strike all of line 13 after the word "years" and "a poor person," in line 14, and in lieu thereof, insert: "~~,~~ **and** who is sane and ~~who is~~ not a public charge **,** as a poor person **or recipient of blind assistance,**".

6. Strike Standing Committee amendment No. 7, and legislature amendment by Mr. Carmody to the same, and in the bill, Section 1, page 2, line 14, before the words "Such tax", insert a new subsection (2) and the beginning of a new subsection (3), as follows:

"(2) Until March 1, 1945, a tax of three dollars is hereby imposed upon every male and female inhabitant of this state who is twenty-one years of age or older, but has not yet attained the age of sixty-six years and who is sane and not a public charge, as a poor person or recipient of blind assistance, to be used as set forth in subsection (1) of this act. The county boards of each county in this state, until March 1, 1945, shall annually include said tax of three dollars in the county tax levy as provided for in subsection (1) of this act. (3)".

(Each subsection is to be made a separate paragraph.)

7. In the bill, Section 1, page 2, line 16, strike: "; and said county treasurers", and in lieu thereof, insert: "~~, and said county treasurers,~~ **which officers**".

8. Amend Standing Committee amendment No. 1, by striking the new subject matter to be inserted, and in lieu thereof, in said amendment, insert the following as new subject matter in the title: "providing that, on and after March 1, 1945, such per capita tax of two dollars shall be levied upon every male and female inhabitant of this state who is twenty-one years of age or older, but who has not yet attained the age of fifty years and who is sane and not a public charge, as a poor person or recipient of blind assistance in the manner, with the procedure and for the purposes designated; providing that, until March 1, 1945, such per capita tax of three dollars shall be so levied upon all such persons who are twenty-one years of age or older, but who have not yet attained the age of sixty-six years, for the same purposes, in the same manner and with the same procedure; to provide that a recipient of blind assistance shall not be subject to such tax; to repeal the original section; and to declare an emergency."

Referred to E and R for review.

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 107. With emergency clause.

A bill for an act relating to dissolved corporations; to provide that a dissolved corporation may be sued, in or by its corporate name, with the same effect as if it were not dissolved; to provide for service of process upon a dissolved corporation, including service by publication, and the manner and procedure for such service; validating all judgments and decrees, against such dissolved corporations, made or rendered prior to the effective date of this act, except under certain circumstances; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Anderson, James H.
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Anderson, D. S.
Brodahl
Carmody
Crossland
Hubka
Jeffords
Klaver
Neubauer
Sorrell
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 259. With emergency clause.

A bill for an act to authorize the Department of Roads and Irrigation to cooperate with the Public Roads Administration of the United States in the construction and maintenance of flight strips and of certain classes of highways, until March 1, 1945, in order to facilitate the war effort; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H .
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Brodahl
Carmody
Crossland
Hubka
Jeffords
Klaver
Neubauer
Sorrell
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORT

Enrollment & Review

LEGISLATIVE BILL 232. Placed on Select File.

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 232. Mr. Peterson moved that the rules be suspended and that the bill be referred to E and R for engrossment.

The motion prevailed with 32 ayes, 2 nays, 9 not voting.

Adjournment

At 12:12 p.m. on motion by Mr. Mueller the Legislature, in accordance with Mr. Reavis' motion of March 1, 1943, adjourned until Tuesday, March 16, 1943 at 10:00 a.m.

Hugo F. Srb
Clerk of the Legislature.

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 16, 1943.

Pursuant to adjournment the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-seventh Day was approved as corrected.

PETITIONS AND MEMORIALS

The following petitions were introduced: all members, one, regarding L. B. 232; all members, one, regarding butter substitutes.

Approved by the Governor

March 12, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 178 L. B. 196

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 357. Placed on General File.

LEGISLATIVE BILL 367. Placed on General File.

LEGISLATIVE RESOLUTION 3. Placed on General File with amendments.

Standing Committee amendments to Legislative Resolution 3:

1. Amend the resolution as it appears in the Journal of January 19, 1943, page 146, by inserting in the Preamble after the word "O'Dell" the words "and all others similarly situated".

2. Amend the resolution by inserting after the word "WHEREAS," in the second paragraph of the Preamble, the words "it is alleged that".

3. Amend the resolution by inserting after the word "O'Dell" in the first paragraph of the body of the resolution the words "and all others similarly situated".

4. Amend the title of the resolution by inserting after the word "O'Dell" the words "and all others similarly situated".

5. Amend the title of the resolution by striking from the last three lines the words and punctuation "to admit and create liability and permit recovery of damages against the State of Nebraska in the premises, if any there be," and inserting in lieu thereof the following: "to permit recovery of damages against the State of Nebraska in the premises, if any there be, and if said damages were caused by the negligence of said State of Nebraska,"

(Signed) Gantz, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 234. Placed on General File.

LEGISLATIVE BILL 343. Indefinitely postponed.

LEGISLATIVE BILL 120. Indefinitely postponed.

LEGISLATIVE BILL 230. Indefinitely postponed.

LEGISLATIVE BILL 198. Indefinitely postponed.

(Signed) Craven, Chairman

Banking, Commerce and Insurance.

LEGISLATIVE BILL 215. Placed on General File with amendments.

Standing Committee amendments to L. B. 215:

1. Amend the title to the bill, line 10, by striking the word "written" and substituting in lieu thereof the word "reported".

2. Amend the title to the bill, line 14, by striking the word "and".

3. Amend the title to the bill, line 15, by striking the period, substituting a semicolon in lieu thereof, and then adding: "and to declare an emergency."

4. Amend page 2 of the bill, section 1, line 7, by inserting after the word "less" the word "only".

5. Amend page 2 of the bill, section 1, line 21, by striking the words **"premiums written"** and substituting in lieu thereof the words: **"such premiums reported"**.

6. Amend page 2 of the bill, section 1, line 22, by inserting after the punctuation following the word "year" the following additional matter:

"Upon written request therefor, filed with the Tax Commissioner before the time of filing the statement as above provided has expired, an additional period of thirty days after March 1 shall be given to any such insurance company in which to file such statement."

7. Amend page 2 of the bill, section 1, line 24, by striking the words **"net premiums written"** and inserting in lieu thereof the words: **"said premiums so reported"**.

8. Amend page 3 of the bill, section 2, line 23, by inserting after the punctuation following the word "company" the following: **"not excepted from the operation of this section as herein before set forth."**

9. Amend page 3 of the bill, section 2, line 27, by striking the words "**premiums written**" and inserting in lieu thereof the words: "**such premiums reported**".

10. Amend page 3 of the bill, section 2, line 28, by inserting after the punctuation following the word "year" the following additional matter:

"Upon written request therefor, filed with the Tax Commissioner before the time for filing the statement as above provided has expired, an additional period of thirty days after March 1 shall be given to any such insurance company in which to file such statement."

11. Amend page 3 of the bill, section 2, line 30, by striking the words "**net premiums written**" and inserting in lieu thereof: "**said premiums so reported**".

12. Amend page 3 of the bill, by adding a new section numbered 4, reading as follows:

Sec. 4. Since an emergency exists, this act shall be in full force, and take effect, from and after its passage and approval, according to law.

13. Amend Section 1 by striking the last sentence thereof.

14. Amend Section 2 by striking the last sentence thereof.

15. Amend the title to conform to the amendments.

(Signed) Peterson, Chairman

Public Health and Miscellaneous Subjects.

LEGISLATIVE BILL 195. Placed on General File with amendments.

Standing Committee amendments to L. B. 195:

1. Amend page 3 of the bill, section 2, line 13, by striking the word "may" and inserting in lieu thereof the word "shall".

2. Amend page 3 of the bill by adding a new section, number "3", reading as follows:

"Sec. 3. That section 31-605, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

31-605. On the organization of any such sanitary district the county board shall call an election for the election of ~~three~~ trustees, who shall hold their offices until their successors are elected and qualified. ~~and annually at the November election in each year there shall be elected one trustee.~~ **Where such sanitary district does not contain a city of fifty thousand or more inhabitants there shall be five trustees. In districts having three trustees, at the first general state election held in November after the organization of the district, there shall be elected one trustee for a term of two years and two trustees for a term of four years, and thereafter their respective successors shall be elected for a term of four years at the general state election held in November immediately prior to the expiration of their respective terms. In districts having five trustees, at the first general state election held in November after the organization of the district, there shall be elected two trustees for a term of two years and three trustees for a term of four years, and thereafter their respective successors shall be elected for a term of four years at the general state election held in November immediately prior to the expiration of their respective terms. Where the board of any such sanitary district which contains fifty thousand or more inhabitants now consists of three members, the membership of the board shall be increased to five, and the Governor shall, within twenty days after the effective date of this act, appoint two electors of any such district as trustees to serve until their successors are elected in 1944 and duly qualified. At the general state election, held in November, 1944, and every four years thereafter, three trustees shall be elected, and at the general state election, held in November, 1946, and every four years thereafter, two trustees shall be elected, to serve for a term of four years or until their successors are duly elected and qualified.** At the first meeting after election of one or more members, the board shall elect one of their number president, and in case they fail to elect, then the member who at his election received the highest number of votes shall be president of such board. Such district shall be a body corporate and politic by name of "Sanitary District of ....," with power to sue, be sued, contract, acquire and hold property, and adopt a common seal."

3. Amend page 3 of the bill, by striking the present section number "3", and inserting in lieu thereof the figure "4".

4. Amend page 3 of the bill, present section 3, line 2, by inserting after the punctuation following the figures "1941" the following: "and section 31-605, Compiled Statutes of Nebraska, 1929,".

5. Amend page 3 of the bill, by adding a new section number "5" reading as follows:

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

6. Amend the title to the bill, page 1, lines 4 to 7, inclusive, by striking the punctuation and word "to" following the word "districts" in line 4, and all of lines 5, 6, and 7, and substituting the following in lieu thereof: "as independent governmental subdivisions of the state and to the number of trustees thereof; to provide procedure by petition of qualified voters for effecting such discontinuance; to provide for the number and manner or election of trustees; to increase to five the number of trustees in any such districts containing a city of fifty thousand or more inhabitants; to repeal the original sections; and to declare an emergency."

(Signed) Foster, Chairman

Government.

LEGISLATIVE BILL 382. Placed on General File.

(Signed) Doyle, Chairman

Enrollment and Review

LEGISLATIVE BILL 306. Placed on Select File.

LEGISLATIVE BILL 304. Placed on Select File.

LEGISLATIVE BILL 130. Placed on Select File with amendments.

E and R amendments to L. B. 130:

1. Strike the legislature amendments by Mr. Craven and Mr. Mueller and also all of Section 2 of the bill, page 2, commencing with the words "be fixed", in line 2, to the end of said section and in lieu thereof, insert: "expire as follows: One on January 2, 1944, one on January 2, 1945, one on January 2, 1946 and one on January 2, 1947. Their successors shall be appointed for a term of four years except one who is appointed to fill a vacancy, caused by the death, removal, resignation or disqualification of any appointed member, whose appointment shall be for the unexpired time of the member he is appointed to succeed. A member, who is so appointed to fill a vacancy, shall be eligible for reappointment."

2. In legislature amendment by Mr. Osborne, after "22" and before the punctuation ".", insert: "except the semicolon".

3. In the second legislature amendment by Mr. Greenamyre, after the word "word", in the 1st line, insert: "and punctuation", and insert the same in the last legislature amendment by Mr. Gantz; in the said amendment by Mr. Greenamyre, strike the balance of the amendment after the word "section", in the 4th line.

4. In the bill, Section 1, page 2, line 4, strike the word "the" before the words "State Engineer"; line 10, strike the word "one" at the end of said line, and in lieu thereof, insert: "subject to confirmation by the Legislature, and one of such members shall be".

5. In the bill, Section 3, page 2, line 3, after the word "and" and before the word "places", insert: "at such"; on page 3, strike all of line 8 and the word "such" at the beginning of line 9, and in lieu thereof, insert: "president and one as vice president. Such"; lines 11 and 12, strike: "to fill such vacancy" and in line 12, after the word "board" and before the word "for", insert: "to fill such vacancy"; line 16, strike the word "receive", and in lieu thereof, insert: "utilize the"; line 17, strike: "the state serving under"; line 18, strike the word "board" and in lieu thereof, insert: "boards"; line 19, strike "tification of" and in lieu thereof, insert: "tificate by"; line 20, strike: "wherein any", and in lieu thereof, insert: ", where"; lines 22 and 23, strike: "from which such employee may be temporarily assigned or transferred." and in lieu thereof, insert: "of such employee."; line 25, strike the word "shall"; line 26, strike the words "directed by" at the beginning of said line, strike the words "by the" before the word "president", and in lieu thereof, insert the word "its", and at the end of said line, strike the words "of the board", and in lieu thereof, insert: "may direct"; lines 27 and 28, strike: ", which vouchers shall be presented", and in lieu thereof, insert: "and present the same".

6. In the bill, Section 4, page 3, strike all of line 1 after the word "The" and all of lines 2 and 3, and in lieu thereof, insert: "appointed members of the board shall receive as"; line 5, strike the word "his" at the end of said line, and in lieu thereof, insert "such"; line 6, after the word "including" insert the word "the", and after the word "his" and before the word "home", insert: "or her"; line 7, strike: "at which he performs", and in lieu thereof, insert the word "where" and in said line, after the word "duties" insert: "are performed,"; line 8, strike the word "his".

7. In the bill, Section 4, page 4, line 9, strike the word "his" and in lieu thereof, insert the word "such"; line 11, strike the word "his", and in lieu thereof, insert the word "the", and in said line, after the word "duties", insert: "of such office,"; line 14, strike the word "his"; line 20, strike the words "of all".

8. In the bill, Section 5, page 4, line 5, after the word "of" and before the word "public" insert the word "such", after the word "public" strike the word "works", and after the word "as" and before the word "related" insert the word "are"; line 8, strike the word "or" at the end of said line, and in lieu thereof, insert the punctuation ","; line 6, strike the punctuation ";" after "resources"; page 5, line 25, strike the following: ". (b) To", and in lieu thereof, insert: ", and (b) to".

9. In the bill, Section 6, page 5, line 3, strike the word "to" after the word "and" and before the word "officers"; line 8, strike the following: "; and it" and in lieu thereof, insert: ". It"; line 9, strike: "state and federal, and"; line 10, after the word "local" and before the word "planning", insert: ", and also state and federal,".

10. In the bill, Section 7, page 5, line 1, insert the word "granted" after the word "authority", and strike the word "granted" at the end of said line; line 4, insert the word "the" after the word "in" and before the word "officers"; line 8, before the words "to be", insert: "which are"; line 14, after the word "upon" insert the word "the".

11. In the bill, Section 10, page 6, lines 2 and 6, strike the word "ten" and in lieu thereof insert the word "nine"; line 11, after the word "thereof" insert the word "might".

12. Insert the punctuation "," in the bill, in the following places:

Section 1, page 2, line 6, after "Nebraska"; line 8, after "members".

Section 3, page 2, line 2, after "quarter"; line 3, after "board"; page 3, line 14, after the word "may" and also after the word "time" at the end of said line; line 18, after "commissions"; line 30, after "adopt" and also after "time" at the end of said line.

Section 4, page 4, line 10, after "duties"; line 13, after "services" and also after "board".

Section 5, page 4, line 2, after "recommend"; page 5, line 26, after "Governor" and also after "Legislature"; line 24, after "compact".

Section 6, page 5, line 4, after "state" and Section 10, page 6, line 8, after "thereof".

13. In the bill, strike the punctuation "," in the following places:

Section 1, page 2, line 4, after "Engineer"; Section 3, page 3, line 11, after "president" and before "or"; Section 5, page 4, line 2, after "consider"; line 3, after "plans"; line 4, after "improvement"; line 7, after "projects"; line 12, after "tests"; line 13, after "distribution"; line 15, after "obtained"; page 5, line 29, after "development"; Section 6, page 5, line 3, after "Governor" and also after "boards"; line 6, before "exhibiting"; line 7, after "plans"; Section 7, page 5, line 9, before "furtherance"; line 14, before "and upon"; Section 10, page 6, line 8, after "phrase".

Correctly Engrossed

L. B. 69
L. B. 140
L. B. 141
L. B. 165
L. B. 177
L. B. 209
L. B. 46
L. B. 366
L. B. 152
L. B. 59

Correctly Enrolled

L. B. 180
L. B. 62
L. B. 70
L. B. 107
L. B. 158
L. B. 252
L. B. 259

(Signed) James H. Anderson, Chairman

Legislative Administration

Mr. Klaver made an oral report in regard to the purchase of Venetian blinds for the legislative chamber.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 180
L. B. 62
L. B. 70
L. B. 107
L. B. 158
L. B. 252
L. B. 259

RESOLUTIONS

LEGISLATIVE RESOLUTION 11. Grading Butter and Cream

Mr. Neubauer offered the following amendment, which was adopted:

In the 3rd paragraph of Resolution 11, 3rd line, after the word "cream" strike the period and insert a comma.

Mr. Neubauer moved that the resolution be adopted.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE RESOLUTION 12. **Release of Radio Supplies**

Introduced by H. G. Greenamyre of Madison.

WHEREAS, it is vitally necessary in the rural areas of this state that farmers and ranchers be informed of weather conditions for the protection of crops and live stock, and

WHEREAS, the rural residents of the State of Nebraska are at the present time suffering a serious shortage of "B" batteries for radio receiving sets, and nearly all of the radio receiving sets on the farms and ranches of Nebraska are dependent upon "B" batteries; and

WHEREAS, the United States Government is urging farmers and ranchers to increase production of food, and relies heavily upon radio to disseminate news and programs with reference to measures and steps to be taken to aid in carrying on the present world war;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA:

1. That we earnestly commend to the War Production Board of the United States that it release a sufficient supply of "B" batteries and other farm radio receiving set supplies to permit farmers and ranchers in this state to maintain existing radio receiving sets.

2. That a copy of this resolution, suitably engrossed, be transmitted to the War Production Board of the United States, and to each Senator and Representative from Nebraska in the Congress of the United States.

Mr. Greenamyre moved that the rules be suspended and that L. R. 12 be referred to a standing committee.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Referred to Committee on Agriculture.

Appropriations Committee

At the regular afternoon meeting of the Appropriations Committee held March 9, 1943, the following motion by Senator Crossland, seconded by Senator Reavis, was adopted:

I move that a bill be drafted and introduced by the committee, authorizing an amendment of the present motor vehicle law as it relates to inmates of institutions driving state cars. This bill to empower the warden of the Penitentiary, the Superintendent of the Genoa State Farm, and the Superintendent of the Men's Reformatory at Lincoln to request that driver's licenses be issued to such inmates under their direction as they feel necessary to carry on prison farm work; such driving to pertain solely to institutional work.

The committee, therefore, in conformity with the above motion, presents this bill for introduction.

(Signed) H. G. Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 422. By Committee on Appropriations
By H. G. Greenamyre of Madison, Chairman

A bill for an act to amend section 60-429, C. S. Supp., 1941, relating to motor vehicles; to provide that an inmate of the penitentiary, state reformatory at Lincoln, or state farm at Genoa may, upon application of the chief officer in charge of such institution, have his operator's license reinstated during the time he is incarcerated in such institution in order to drive motor vehicles at such time and under such conditions as may be prescribed by such chief officer; and to repeal the original section.

Mr. Mueller moved that the rules be suspended and that L. B. 422 be referred at once.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Referred to Committees

L. B.	Introducer	Committee Reference
421	Committee on Appropriations H. G. Greenamyre, Chairman	Appropriations
422	Committee on Appropriations H. G. Greenamyre, Chairman	Appropriations

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 179. With emergency clause.

A bill for an act to amend sections 39-1033, 39-1035 and 60-307, C. S. Supp., 1941, relating to maximum weight loads of motor vehicles on the highways; to provide for an increase in the maximum of gross wheel and axle loads of motor vehicles permitted; to provide, until March 1, 1945, for an increase in the gross weight of motor vehicles or combinations thereof according to a formula prescribed; to provide, until March 1, 1945, for the numbering on motor vehicle plates of the carrying capacities of motor vehicles, in excess of fourteen tons; to repeal the original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Carmody
Dooley
Jeffords
Osborne
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for Journal

Mr. President: I would have voted "aye" if I had been present when L. B. 179 was voted on, on Third Reading.

(Signed) Carmody

SELECT FILE

LEGISLATIVE BILL 171. E and R amendments, found in the Legislative Journal for the Forty-seventh Day, were adopted.

Laid over.

GENERAL FILE

Mr. Klaver asked unanimous consent to place L. B. 60 at the head of General File for immediate consideration.

No objection was offered. So ordered.

LEGISLATIVE BILL 60. Mr. Klaver offered amendments, which were lost with 5 ayes, 30 nays, 8 not voting.

Mr. Raecke renewed his motion to adopt the amendments offered by him.

The motion prevailed and the amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Mr. Raecke moved that Standing Committee amendments 1, 2, 6, 7 and 8, found in the Legislative Journal for the Forty-second Day, be adopted.

The motion prevailed.

Mr. Asimus offered the following amendments:

1. Amend page 2 of the bill, section 1, lines 24 to 28, by striking the words "in the proportion that the total" in line 24 and all of lines 25 to 28, inclusive, and then inserting: "**proportionately upon the following basis: (a) Ten per cent of the total fund for distribution to the counties shall be distributed among the various counties in the proportion that the non-farm population of each county bears to the entire non-farm population of the state, as shown by the last United States government census; (b) Ninety per cent of the fund for distribution to the counties shall be distributed among the various counties in the proportion that the farm population of each county bears to the entire farm population of the state, as shown by the last United States government census.**"

2. Amend page 2 of the bill, section 1, line 32, by striking the words "Ten per cent to" and inserting in lieu thereof the following: **"The share provided by subdivision (2a) above set forth based upon non-farm population, shall".**

3. Amend page 3 of the bill, section 1, line 40, by striking the words "Twenty per cent to" and inserting in lieu thereof: **"Two-ninths of the share provided by subdivision (2a) above set forth, based upon farm population, shall be".**

4. Amend page 3 of the bill, section 1, lines 45 and 46, by striking the words "The remainder, seventy per cent, to and" and inserting in lieu thereof: "Seven-ninths of the share provided by subdivision (2b) **above set forth, based upon farm population, shall be".**

Laid over. Retains place on File.

Adjournment.

At 12:13 p.m. on motion by Mr. Mischke the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 17, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-eighth Day was approved.

PETITIONS AND MEMORIALS

The following petitions were introduced: All members, one, opposing L. B. 384; one, opposing L. B. 401; one, favoring L. B. 207.

STANDING COMMITTEE REPORTS

Enrollment & Review

LEGISLATIVE BILL 409. Placed on Select File with amendments.

E and R amendments to L. B. 409:

1. In the bill, Section 1, page 2, line 4, strike the word "either" and in lieu thereof, insert: "~~either~~ **any one**"; strike all of line 7 after "(2)" and the word "removal" in line 8, and in lieu thereof, insert: "**The** ~~His~~ death **of the incumbent.** ~~Third.~~ (3) **The** ~~His~~ removal **of the incumbent**" .

2. In the bill, Section 1, page 2, line 9, strike the word "his" after the word "declaring", and in lieu thereof, insert: "~~his~~ **the**"; and in said

line strike the word "His" before the word "ceasing", and in lieu thereof, insert: "~~His~~ **The incumbent**"; line 11, strike the word "his" before the word "office", and in lieu thereof, insert: "~~his~~ **such**"; line 12, strike the punctuation "," after the word "exercised", and in lieu thereof, insert ";", and strike the word "he" after the word "which" and in lieu thereof, insert: "~~he~~ **such person**".

3. In the bill, Section 1, page 2, line 14, strike the word "his" after the word "until", and in lieu thereof, insert: ~~his~~ a"; line 17, after the word "of" and before the word "an", insert: **"the incumbent of"**; line 18, strike the word "his" before the word "oath", and in lieu thereof, insert: "~~his~~ **such person's**"; line 20, strike the punctuation "," after "office", and in lieu thereof, insert ";"; line 23, strike the word "his" after the word "exercise", and in lieu thereof, insert: "~~his~~ **such**"; line 25, strike the word "he" after the word "which", and in lieu thereof, insert: "~~he~~ **such person**", and in said line strike the punctuation "," after the word "elected" and in lieu thereof, insert ";".

4. In the bill, Section 1, page 2, line 28, strike the word "he" after the word "which", and in lieu thereof, insert: "~~he~~ **such person**"; line 29, strike the word "his" after the word "exercises" and in lieu thereof, insert: "~~his~~ **such**"; line 30, strike the word "his" after the word "without" and in lieu thereof, insert the word "this", and strike the word "he" before the word "shall" and in lieu thereof, insert: "~~he~~ **such person**", and after the word "shall" and before the word "be", insert the word "**not**"; line 31, strike the word "no" after the word "receive", and in lieu thereof, insert: "~~no~~ **any**", and at the end of said line, strike the word "his", and in lieu thereof, insert: "~~his~~ **such**"; line 32, strike the words "**shall not**"; strike the word "**in**" at the end of line 32, and the words "**force his**" at the beginning of line 33, and in lieu thereof, insert the word "an"; line 33, strike: "**, and shall not**", and in lieu thereof, insert: "**in force or**"; line 34, after the word "**is**" and before the word "**appointed**" insert the word "**duly**".

5. In the bill, Section 1, page 3, line 35, strike: **"duly qualifies to take his place"**, and in lieu thereof, insert: **"qualifies to take the place of such person in such office"**; line 43, strike the word "is" after the word "case", and in lieu thereof, insert: "~~is~~ **may be**"; line 47, strike the word "his" before the word "military", and in lieu thereof, insert: "~~his~~ **such**"; line 51, strike the words "he serves", and in lieu thereof, insert: "~~he serves~~ **of such service**"; line 54, strike the word "as" after the word "manner", and in lieu thereof, insert the word "~~as~~"; line 66, strike: ", and during", and in lieu thereof, insert: "; ~~and during~~. **During**".

6. Insert the punctuation ";" in the bill, in the following places: Section 1, page 2, line 11, after "ward"; line 16, after "office"; line 23,

after "duties"; line 29, after "that"; page 3, line 46, after "absent"; line 56, after "state"; line 57, after "United States" .

7. In the bill, title, page 1, strike all of the 7th line, and in lieu thereof, insert: "force an official bond or be"; strike all of the 9th line after the word "who", and all of the 10th line, and in lieu thereof, insert: "is duly appointed and qualifies to take the place of such incumbent during the time the said"; insert the punctuation "," in the 4th line after the word "office", and in the 5th line, after the word "States" .

8. In the bill, Section 1, page 2, line 28 strike ": ;" and in lieu thereof insert: ":" ; page 3, line 37, strike "If" and in lieu thereof, insert: "~~if~~ **If**" and in line 49, strike the word "The", and in lieu thereof, insert: "~~the~~ **The**" .

LEGISLATIVE BILL 301. Placed on Select File with amendments.

E and R amendments to L. B. 301:

1. In the bill, Section 1, page 2, line 16, strike: "his deputies", and in lieu thereof, insert: "~~his~~ **the** deputies **of such officer**"; line 17, strike: ", and they", and in lieu thereof, insert: "; and ~~they~~"; strike all of line 19, and in lieu thereof, insert: "~~such~~ place ~~or~~ , places or vehicles **which,** ~~as~~ in their judgment ," .

2. In the bill, Section 1, page 2, line 20, strike the word "or" and in lieu thereof, insert: "~~or~~ ,"; line 21, strike the word "that" and in lieu thereof, insert "~~that~~"; line 28, after the word "as" and before "by law" insert the word "**required**"; line 31, strike the word "but" at the beginning of said line, and in lieu thereof, insert: "~~but~~ ; **Provided, that**"; line 33, strike the word "when" at the beginning of said line, and in lieu thereof, insert: "~~when~~ , **which is**", and after the the word "by" and before the word "producer", insert the word "**the**" .

3. In the bill, Section 1, page 3, line 36, after the word "license", insert: "**, which licenses are to be**" and after the word "and" and before "subject", insert the word "**be**"; strike line 44, and in lieu thereof, insert: "~~and~~ , make periodic reports , required by **the** Chief of"; line 54, strike the punctuation "," after the word "temperatures", and in lieu thereof insert: ";" .

4. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 32, after "butter"; page 3, line 40, after "receive"; line 41, after "operator"; line 42, after "probation" and also after

"provided"; line 47, after "principal" and also after "broker"; line 48, after "ship" and also after "carrier"; line 49, after "depot"; line 51, after "fail"; line 52, after "carrier"; line 53, after "covers"; line 54, after "points"; line 55, after "merchandise"; line 56, after "nature"; line 62, after "person"; line 63, after "thereof"; line 64, after "owner"; line 65, after "person"; line 66, after "thereof".

LEGISLATIVE BILL 213. Placed on Select File with amendments.

E and R amendments to L. B. 213:

1. In Standing Committee amendment No. 2, strike the figure "6" and in lieu thereof, insert the figure "7".

2. In the bill, Section 1, page 2, line 5, strike the word "especially" and in lieu thereof, insert: "~~especially~~"; line 12, strike: "for the lease of" and in lieu thereof, insert "**to** ~~for the~~ lease ~~of~~"; line 14, strike: "at the county seat", and in lieu thereof, insert: "~~at the county seat~~"; line 15, strike: ", and" and in lieu thereof, insert: "~~, and~~ **. Each such application**"; line 18, after the word "lease" and before the word "for" insert: "**such land**"; and in said line, strike the word "his", and in lieu thereof, insert: "~~his~~ **the applicant's**"; line 19, strike: "and that he", and in lieu thereof, insert: "~~and~~ , that ~~he~~ **the applicant**" .

3. In the bill, Section 1, page 2, line 21, strike: "; that he", and in lieu thereof, insert: "~~; that he~~ **and**"; line 22, strike: "; and such" , and in lieu thereof, insert: "~~; and such~~ **. Each**"; line 27, after the word "shall" and before the word "pay" insert the word "**also**"; strike all of line 28 after the word "to", all of line 29, and the words "next following" in line 30, and in lieu thereof, insert: "**that for the time above specified** ~~between the application date and the first day of July or January next following~~"; line 31, after the word "or" and before the word "representative", insert the word "**the**"; line 32, strike: "if he be present" and in lieu thereof, insert: "~~if he be~~ present **at said offering**"; line 34, strike the word "who" at the beginning of said line, and in lieu thereof, insert: "**, partnership or corporation that** ~~who~~" .

4. In the bill, Section 1, page 3, line 36, strike: "; except that the", and in lieu thereof, insert: "~~; except that the~~ **. The**"; line 41, after the word "lands" and before the word "which" insert: "**in each respective county**", and in said line, strike: "in that county", and in lieu thereof, insert: "~~in that county~~"; line 43, strike the word "for", after the word "publishing", and in lieu thereof, insert: "~~for~~ **a notice thereof**"; at the end of line 46, after the word "diligence" insert: "**and effort**"; line 48, strike: "do so, they", and in lieu thereof, insert: "~~do so, they~~ **lease part or all of the same, it**"; line 49, strike the word "same" and in lieu thereof, insert: "~~same~~ **the unleased land**".

5. In the bill, Section 1, page 3, line 50, strike: "who will pay", and in lieu thereof, insert: "~~who~~ , **partnership or corporation that** will pay **an annual rental of**"; lines 51 and 52, strike: ", as annual rental if in their judgment" and in lieu thereof, insert: "~~, as annual rental~~ if , in ~~their~~ **the** judgment **of the board**"; line 53, strike the word "they" before the word "may", and in lieu thereof, insert: "~~they~~ **the board**"; line 57, strike: "; and said valuation, so established," and in lieu thereof, insert: "~~;~~ , and ~~said valuation, so established,~~"; line 58, strike: "upon the school land", and in lieu thereof, insert: "**as such** upon the ~~school land~~"; line 59, strike: "upon the records of" and in lieu thereof, insert: "~~upon the records of~~".

6. In the bill, Section 1, page 3, lines 60 and 61, strike: "Board of Educational Lands and Funds", and in lieu thereof, insert: "~~Board of Educational Lands and Funds~~ **said board**"; lines 62 and 63, strike: "their direction, act for them", and in lieu thereof, insert: "~~their~~ **the** direction **of said board**, act for ~~them~~ **it**"; line 66, strike the word "he" before the word "shall", and in lieu thereof, insert: "~~he~~ **said officer**", and in said line, strike the word "his" before the word "receipt", and in lieu thereof, insert: "~~his~~ **a**"; strike all of lines 67 and 68, and in lieu thereof, insert: "duplicate and **transmit** the application for **a** lease and the duplicate receipt ~~for money so paid, shall be by him transmitted~~ to".

7. In the bill, Section 1, page 4, line 69, strike the word "who" after the word "Funds", and in lieu thereof, insert: "~~who~~ **. The board**"; line 71, strike: "by him" and in lieu thereof, insert: "~~by him~~"; line 72, after the word "lessee" and before the punctuation ".", insert: "**by such officer**"; line 73, strike the word "contract" at the beginning of said line, and in lieu thereof, insert: "~~contract~~ **provision**"; line 75, strike the punctuation "~~;~~" and in lieu thereof, insert "~~;~~,", and in said line, strike: "**they deem**", and in lieu thereof, insert: "**such board deems**"; line 76, after the word "**to**", at the beginning of said line, insert: "**be for**" and strike the word "**and**" at the end of said line, and in lieu thereof, insert: ";"; line 78, strike the word "**rate**", at the beginning of said line, and in lieu thereof, insert the word "**rental**"; line 79, strike the words "**and upon**", and in lieu thereof, insert: "**; that, upon a**", and in said line, after the word "**pay**" and before the word "**rental**" strike the word "**said**", and in lieu thereof, insert the word "**any**"; line 83, strike: ", and", and in lieu thereof, insert: "~~, and~~ ;"; line 84, after the word "land" insert the punctuation ";", and in said line, strike the word "shall" after the word "premises", and in lieu thereof, insert: "~~shall~~ **will**".

8. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 5, after "value"; line 13, after "Funds"; line

31, after "treasurer"; line 34, after "pay" and also after "land"; page 3, line 36, after "value"; line 37, after "may"; line 38, after "year" and also after "offering"; line 44, after "auction"; line 46, after "If"; line 81, after "aside".

9. In the bill, Section 1, page 2, strike the punctuation "," in line 6, after "partnership", and in line 7, after "lease".

10. In the bill, title, page 1, 4th line, strike the punctuation "," after "partnership"; 9th line, strike the word "for", at the end of said line, and in lieu thereof, insert: "certain procedure for the leasing of such lands, the collection and fixing of rentals thereon and for the appraisal and"; 10th line, after the punctuation ";" and before the words "to provide", insert: "to provide for a prescribed covenant or provision to be inserted in each lease of such lands;", and at the end of said line, after the word "for", insert the word "the"; 11th line, insert the word "a" after the word "of" and before the word "lease", and also after the word "upon" and before the word "lessee's".

LEGISLATIVE BILL 201. Placed on Select File with amendments.

E and R amendments to L. B. 201:

1. In the Standing Committee amendment strike the words and punctuation "not to exceed," in the first two insertions of the new subject matter in said amendment.

2. In the bill, Section 2, page 2, line 6, strike the word "exceeding" and in lieu thereof, insert: "to exceed".

3. In the bill, Section 3, page 2, line 1, strike the word "That" before the word "part", and in lieu thereof, insert the word "Any"; line 4, strike: ", and only", and in lieu thereof, insert: ". Only"; strike all of line 5 after the word "appropriated", and in lieu thereof, insert: "by this act shall be expended as shall be so bid on the said land".

4. In the bill, Section 4, page 2, line 2, after the word "and" and before the word "effect", insert the word "take".

5. Insert the punctuation "," in the bill, in the following places: Section 2, page 2, line 2, after the word "bid" and after the word "Nebraska"; Section 3, page 2, line 2, after the word "dollars"; line 3, after the word "act".

6. In the bill, title, page 1, 2nd line, insert the punctuation "," after the word "appropriate"; in the 9th line, after the word "for" and before the word "use", insert the word "the".

7. In the bill, Section 2, page 2, line 3, and Section 3, page 2, line 3, strike the word "one" after the word "section" and in lieu thereof, insert the figure "1".

LEGISLATIVE BILL 147. Placed on Select File with amendments.

E and R amendments to L. B. 147:

1. Strike the Legislature amendment by Mr. Matzke, and in the bill, Section 1, page 2, strike the words "reported to the" at the end of line 7, and all of line 8, and in lieu thereof, insert: "by such board to the Legislature, in the amount of $685,566.83."

2. In the bill, Section 2, page 2, line 2, after the word "act" and before the word "which", insert the word "and"; in line 4, strike the punctuation "," after the word "fund".

3. Insert the punctuation "," in the following places, in the bill: Section 1, page 2, line 3, after "1945"; line 5, after "therein"; Section 2, page 2, line 1, after "taxation"; line 3, after "Fund".

4. In the bill, title, page 1, strike all of the 3rd to 7th lines, inclusive, and in lieu thereof, insert:

"one-tenth of one mill, for the years 1943 to 1947, inclusive, to reimburse the permanent school fund in the sum of $685,566.83 for all losses sustained therein, as reported by the Auditor of Public Accounts to the Board of Educational Lands and Funds on December 21, 1942, and by such board to the Legislature, and any excess raised by such levy to be set aside in a special fund to be used to construct and equip an historical building for the State Historical Society, when specific appropriation is made therefor by the Legislature."

5. In the bill, Section 1, page 2, line 3, after the word "all" and before the word "taxable", insert the word "the".

6. In the bill, Section 2, page 2, line 1, strike the word "moneys" and in lieu thereof insert the word "money"; in line 2, strike the word "are" and in lieu thereof insert the word "is".

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 13. **Third Term Amendment**

Introduced by Sam Klaver, Harry A. Foster, Fred A. Mueller, Joseph C. Reavis, William J. Norman, Robert B. Crosby, George C. Weborg, Cliff N. Ogden, Martin J. Mischke, James H. Anderson, Louis M. Jeppesen, Earl J. Lee, Harry F. Burnham, Carl P. Jeffords, Harry E. Bowman, Arthur Carmody, Tom C. Osborne, Ray Thomas, A. J. Brodahl, Stanley A. Matzke, H. P. Heiliger, Daniel Garber, Sidney J. Cullingham and Don E. Hanna.

WHEREAS, the first President of the United States established a sound and salutary principle of government in refusing a third term as President of the United States; and

WHEREAS, the precedent thus established existed unbroken for one hundred and forty years, and is conducive to sound government and democratic ideals;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA:

1. That the Congress of the United States is urged to submit to the Legislatures of the several states for ratification an amendment to the Constitution of the United States, to provide that no person shall be eligible to serve more than two terms as President of the United States.

2. That a copy of this resolution, suitably engrossed, be sent to each Senator and Representative from Nebraska in the Congress of the United States.

President signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution 11.

Statement—Appropriations Committee

At the March 16th meeting of the Committee on Appropriations, the following motion by Mr. Heiliger, seconded by Mr. Hanna, prevailed:

"Mr. Chairman: I move that a bill be drafted and introduced by the Appropriations Committee providing that one thousand sixty-seven dollars be made available for the Kearney State Normal School for emergency repairs and replacements."

In compliance with the above motion, the committee herewith submits such bill for introduction.

(Signed) H. G. Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 423. By Appropriations Committee.
H. G. Greenamyre of Madison, Chairman.

A bill for an act to appropriate the sum of one thousand sixty-seven dollars for repairs and replacements at the Kearney State Normal School, as an emergency appropriation for the current biennium ending June 30, 1943; and to declare an emergency.

MOTION—To Suspend Rules for Reference

Mr. Greenamyre moved that the rules be suspended and that L. B. 423 be referred at once.

The motion prevailed with 30 ayes, no nays, 13 not voting.

LEGISLATIVE BILL 423. Referred to Committee on Appropriations.

MOTION—To Suspend and Amend Rules

Mr. President: I move that the rules be suspended and that Rule 13, Section 7 be amended as follows:

Unless requested by a member, any proposed changes or amendments by the committee on Enrollment and Review on Select File shall not be read before being acted upon by the Legislature.

(Signed) James H. Anderson

Substitute Motion

Mr. President: As a substitute to Mr. Anderson's motion I move that the motion to change the rules be referred to the Rules Committee for their consideration and report.

(Signed) Mueller

Mr. Mueller's motion prevailed.

SELECT FILE

LEGISLATIVE BILL 171. Referred to E and R for engrossment.

LEGISLATIVE BILL 130. Mr. James H. Anderson moved that the rules be suspended and that the Legislature waive the reading of E and R amendments on L. B. 130.

The motion prevailed with 34 ayes, no nays, 9 not voting.

E and R amendments, found in the Legislative Journal for the Forty-eighth Day were adopted.

Mr. Neubauer moved to refer to E and R for engrossment.

Mr. Garber moved to indefinitely postpone.

The motion was lost with 17 ayes, 18 nays, 8 not voting.

Mr. Neubauer's motion prevailed.

Referred to E and R for engrossment.

MOTION—Sifting Committee

Mr. President: I move that a "sifting committee" be established, the membership to be composed of the chairmen of each of the standing committees. Such sifting committee shall have authority, upon approval of a majority of its members, to advance to the head of general file any bills which come under the following classifications:

(1) Bills affecting an important interest of the general public.

(2) Bills directly connected with, and necessary to, the prosecution of the war.

(3) Bills dealing with a necessitous situation, of an emergency nature, where deferment of legislative relief will seriously damage a substantial part of the general public.

The chairman of the Committee on Committees shall act as chairman of the "sifting committee".

That the rules be suspended and to adopt this motion.

This motion is not intended to preclude adoption of limitations on debate, nor to discourage consideration of all bills on general file.

(Signed) Robert B. Crosby

Mr. Reavis moved that the Crosby motion be amended by adding after the word authority in line 3, the following: "after April 1st, 1943".

The motion prevailed.

Mr. Thompson moved that the Crosby motion be amended to provide that said committee be composed of the chairmen of all standing committees except the chairmen of the Committee on Committees, Rules, Legislative Administration, Enrollment and Review, and Intergovernmental Cooperation.

Mr. Matzke moved that the Thompson motion be amended by striking "Committee on Committees".

Mr. Matzke's motion prevailed.

Mr. Thompson's motion was lost with 12 ayes, 16 nays, 15 not voting.

Mr. Crosby offered the following amendment to his original motion:

Amend Crosby motion by adding this subdivision:

"(1) All appropriation bills, and bills providing for general and specific appropriations, take precedence over all other bills".

Renumber other subdivisions accordingly.

The motion prevailed with 17 ayes, 6 nays, 20 not voting.

A call of the House was ordered.

On roll call 39 members were registered present.

Mr. Sorrell moved to raise the call.

The call was raised.

Mr. Crosby's motion, as amended, prevailed with 29 ayes and 14 nays.

GENERAL FILE.

LEGISLATIVE BILL 60. Mr. Asimus renewed his motion to adopt his amendments offered and found in the Legislative Journal for the Forty-eighth Day.

As a substitute motion Mr. Heiliger moved to commit the bill, under Rule 11, Section 4, with the proposed Asimus amendments to the standing committee before whom it was originally heard, for further hearing.

At 12:04 p.m. Mr. Mueller moved to adjourn.

The motion was lost with 7 ayes, 27 nays, 9 not voting.

Mr. Cullingham moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 29 ayes, no nays, 14 not voting.

Mr. Heiliger's motion was restated.

A call of the House was ordered.

Mr. Rakow moved to raise the call.

The motion prevailed with 25 ayes, 2 nays, 16 not voting.

At 12:10 p.m. Mr. Foster moved to adjourn.

The motion was lost with 17 ayes, 25 nays, 1 not voting.

Vote was taken thereon and Mr. Heiliger's motion was lost with 20 ayes, 22 nays, 1 not voting.

After further consideration of the Asimus amendments, Mr. Crossland moved the previous question.

The President put the question "Shall the debate now close?"

The motion was lost with 18 ayes, 5 nays, 20 not voting.

Mr. Crosby rose to speak to a point of order, viz.: that the amendments were not germane to the bill, as required in Rule 11, Section 22.

The President ruled that the amendments were germane.

Adjournment

At 1:00 p.m. Mr. Matzke moved that in accordance with the rules the Legislature adjourn.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 18, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Forty-ninth Day was approved as corrected.

Invitation

An invitation from the Lincoln Business Men was extended to the Members of the Legislature and their ladies to attend a dinner at the University Club on April 6, 1943 at 6:00 p.m.

Communication

A letter was read from Neil C. Vandemoer, Director of Assistance, regarding payments of assistance in Nebraska and enclosing a summary of a survey on that subject.

PETITIONS AND MEMORIALS

A petition, addressed to all members, was read favoring larger payments of old age assistance.

NOTICE OF COMMITTEE HEARINGS

Agriculture

Legislative Resolution 12, Tuesday, March 23, 1943, 2:00 p.m.

Appropriations

L. B. 421, Thursday, March 25, 1943, 2:15 p.m.

L. B. 422, Thursday, March 25, 1943, 2:30 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 145. Placed on General File with amendments.

Standing Committee amendments to L. B. 145:

1. Amend page 2 of the bill, section 1, lines 6 to 9, inclusive, by striking the word "to" in line 5, and all of lines 6, 7, 8, and 9, and substituting the following in lieu thereof: "follows: (1) Rules 14(a), 16(a) and 30(b) are specifically amended as set forth in sections 2, 3 and 4 of this act, and as amended, are approved;

(2) Rules 8(e)(w), 11, 30(d), 33, 38, 39, 43(h) and 43(t) are specifically rejected, disapproved and repealed."

2. Amend page 2 of the bill by adding three new sections, numbered 2, 3 and 4, reading as follows:

"Sec. 2. Rule 14(a) is amended to read as follows:

(a) When Defendant May Bring in Third Party. Before the service of his answer a defendant may move ex parte or, after the service of his answer, on notice to the plaintiff, for leave as a third-party plaintiff to serve a summons and complaint upon a person not a party to the action who is or may be liable to the plaintiff on the original cause of action for all or part of the plaintiff's claim against him. If the motion is granted and the summons and complaint are served, the person so served, hereinafter called the third-party defendant, shall make his defenses as provided in Rule 12 and his counterclaims, **except permissive counterclaims,** and cross-claims against the plaintiff, the third-party plaintiff, or any other party as provided in Rule 13. The third-party defendant may assert any defenses which the third-party plaintiff has to the plaintiff's claim. The third-party defendant is bound by the adjudication of the third-party plaintiff's liability to the plaintiff, as well as of his own to the plaintiff or to the third-party plaintiff. The plaintiff may amend his pleadings to assert against the third-party defendant any claim which the plaintiff might have asserted against the third-party defendant had he been joined originally as a defendant. A third-party defendant may proceed under this rule against any person not a party to the action who is or may be liable to the plaintiff on the original cause of action for all or part of the claim made in the action against the third-party defendant."

"Sec. 3. Rule 16(a) is amended to read as follows:

(a) In any action, the court may in its discretion direct the attorneys for the parties to appear before it for a conference to consider

(1) The simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings;

(3) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(4) The limitation of the number of expert witnesses; **and**

(5) The advisability of a preliminary reference of issues to a master for findings to be used as evidence when the trial is to be by jury~~;~~.

~~(6) Such other matters as may aid in the disposition of the action.~~

The court shall make an order which recites ~~the action taken at the conference,~~ the amendments allowed to the pleadings, and the agreements made by the parties as to any of the matters considered, and which limits the issues for trial to those not disposed of by admissions or agreements of counsel; and such order when entered controls the subsequent course of the action, unless modified **before or** at the trial to prevent manifest injustice. The court in its discretion may establish by rule a pre-trial calendar on which actions may be placed for consideration as above provided and may either confine the calendar to jury actions or to non-jury actions or extend it to all actions."

"Sec. 4. Rule 30(b) is amended to read as follows:

(b) Orders for the Protection of Parties and Deponents. After notice is served for taking a deposition by oral examination, upon motion seasonably made by any party or by the person to be examined and upon notice and for good cause shown, the court in which the action is pending may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, ~~or that it may be taken only on written interrogatories~~, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed the deposition shall be opened only by order of the court, or that secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the court; or the court may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression."

3. Amend the title to the bill, page 1, lines 8 and 9, by striking the same, and inserting in lieu thereof:

"this act, as being amended or as being rejected, disapproved and repealed; to specifically amend rules 14(a), 16(a) and 30(b), and as amended, to approve the same; and to specifically reject, disapprove and repeal rules 8(e)(2), 11, 30(d), 33, 38, 39, 43(h) and 43(t)."

LEGISLATIVE BILL 396. Placed on General File.

LEGISLATIVE BILL 352. Placed on General File with amendments.

Standing Committee amendments to L. B. 352:

1. Amend the bill, page 2, section 1, by striking all of subdivisions (c) and (e) and re-lettering subdivision (d) as "(c)".

2. Amend the bill, page 3, section 4, by inserting between lines

16 and 17 the following: "(5) Require an accounting by the fiduciary or fiduciaries whose powers and duties may be suspended under the provisions of this act."

LEGISLATIVE BILL 143. Indefinitely postponed.

LEGISLATIVE BILL 360. Indefinitely postponed.

(Signed) Gantz, Chairman

Agriculture

LEGISLATIVE BILL 159. Indefinitely postponed.

LEGISLATIVE BILL 251. Placed on General File with amendments.

Standing Committee amendments to L. B. 251:

1. Amend the bill, pages 2 to 8, inclusive, by striking all of sections 1 to 15, inclusive, and substituting the following in lieu thereof:

Section 1. For the purpose of this act, the following definitions shall apply: (1) The term "frozen food locker plant" as used in this act shall mean any place artificially cooled to or below a temperature of 45 degrees above zero fahrenheit in which articles of food are placed and held for thirty days or more, and in which individual lockers, compartments, or spaces are rented to the public; (2) The term "foods" as used in this act shall mean all foods fit, intended and used for human consumption; (3) The term "department" as used in this act shall mean "The Department of Agriculture and Inspection."

Sec. 2. For the purpose of enforcement, a frozen food locker plant shall consist of the room, building or space containing such lockers, compartments or spaces and any chill room and sharp or quick-freezing room, cabinet or compartment, and all slaughtering, processing, wrapping, marking or other rooms or spaces in connection therewith and used as part of a frozen food locker plant. All such buildings, rooms, spaces and equipment used for such service shall conform to all sanitary regulations pertaining to foods.

Sec. 3. Every person, firm, corporation or association operating a frozen food locker plant shall be required to obtain an annual license to operate a frozen food locker plant and pay the fee herein provided for such license. Applications for such license shall be made to the department in writing, specifying definitely the location of the plant for which the license is desired; the number of lockers and compartments; the name of the plant owner or owners. The license fee shall be five dollars per annum for two hundred or less individual lockers or compartments installed, with an additional two dollars per annum for every hundred additional lockers or fraction thereof.

Sec. 4. The owner of any frozen food locker plant shall have a lien on the contents of any lockers or compartments or spaces for the payment of locker rental, processing or other charges. Such lien may be foreclosed by giving written notice by registered mail to the renter of such locker, compartment or space and after ten days from date of the notice, the owner may proceed to sell the contents of the locker at either public or private sale for the reasonable value of its contents. If the proceeds from the sale exceed the amount of the lien, the balance shall be duly paid to the renter. The place, time, and kind of sale shall conform to the written notice to the renter.

Sec. 5. The department through its inspectors, agents, and employees shall inspect every licensed frozen food locker plant at least twice annually or whenever it shall be deemed necessary.

Sec. 6. The Director of the department shall publish and declare such reasonable rules and regulations as are consistent with this act providing for necessary sanitation, public health measures, protection of the patron's articles of food and for conformity with state and federal pure-food and game laws.

Sec. 7. The department, through its Director, or his duly authorized deputies, inspectors, agents or employees is hereby empowered and directed to administer and effectively enforce all provisions of this act.

Sec. 8. Every violation of the provisions of this act or of any valid rule or regulation of the Department of Agriculture shall be deemed a misdemeanor punishable by a fine of not less than ten dollars nor more than one hundred dollars or imprisonment for not less than ten days or more than thirty days in the county jail, or both; Provided, that a violation of the rules and regulations of the department shall be punishable only by the minimum penalties above imposed.

Sec. 9. The provisions of this act shall not be construed to amend, repeal or affect any provisions of law pertaining to cold storage.

LEGISLATIVE BILL 319. Indefinitely postponed.

LEGISLATIVE BILL 418. Placed on General File.

LEGISLATIVE BILL 288. Placed on General File.

(Signed) Neubauer, Chairman

Banking, Commerce and Insurance

LEGISLATIVE BILL 419. Placed on General File.

LEGISLATIVE BILL 368. Placed on General File.

LEGISLATIVE BILL 2. Indefinitely postponed.

(Signed) Peterson, Chairman

Revenue

LEGISLATIVE BILL 369 Placed on General File.

LEGISLATIVE BILL 372. Placed on General File with amendments.

Standing Committee amendments to L. B. 372:

1. Amend the bill, page 2, section 1, line 33, after the word "**gas**" and before the punctuation "." by inserting the following: "**if and when such gasoline or raw gasoline is used as an enriching agent by reason of a federal law or an order of the United States Government or any of its authorized officers or agents or by the prohibition by such law or order of the use of such enriching agents as are now used**".

2. Amend the bill, page 5, section 1, line 103, after the word "fuel" and before the punctuation "." by inserting the following: "**, provided, that no refund of the tax for gasoline or raw gasoline used as an enriching agent shall be allowed for any such gasoline or raw gasoline so used after March 1, 1945**".

3. Amend the bill by adding a new section as follows:

"Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

4. Amend the title, line 4, by inserting after the word "provide" the following: ", until March 1, 1945,".

5. Amend the title by striking the word "and" in line 9 and by inserting after the word "sections" and before the punctuation "." in line 10 the following: "; and to declare an emergency".

LEGISLATIVE BILL 350. Placed on General File with amendments.

Standing Committee amendments to L. B. 350:

1. Amend the bill by striking all of section 1 and renumbering the remaining sections accordingly.

2. Amend the bill, section 2, line 13, by striking the words "**thirty-two hundred forty**" and inserting in lieu thereof the words "**three thousand**".

3. Amend the bill, section 2, line 15, by adding after the word and punctuation "monthly." the following: **"No assistant in such office shall receive more than the amount paid to such deputy."**

4. Amend the bill, section 3, line 4, by striking the words **"thirty-two hundred forty"** and inserting in lieu thereof the words **"three thousand".**

5. Amend the bill, section 3, line 7, by adding after the word and punctuation "monthly." the following: **"No assistant in such office shall receive more than the amount paid to such deputy."**

6. Amend the bill, section 4, line 15, by striking the words **"thirty-two hundred forty"** and inserting in lieu thereof the words **"three thousand".**

7. Amend the bill, section 4, line 18, by adding after the word and punctuation "monthly." the following: **"No assistant in such office shall receive more than the amount paid to such deputy."**

8. Amend the bill, section 5, line 4, by striking the words **"thirty-two hundred forty"** and inserting in lieu thereof the words **"three thousand".**

9. Amend the bill, section 5, line 6, by adding after the word and punctuation "monthly." the following: **"No assistant in such office shall receive more than the amount paid to such deputy."**

10. Amend the bill, section 6, line 2, by striking the figures and punctuation "84-206,".

11. Amend the bill by striking all of section 7.

12. Amend the title, line 2, by striking the figures and punctuation "84-206,".

13. Amend the title, line 7, by striking the words "thirty-two hundred forty" and inserting in lieu thereof the words "three thousand".

14. Amend the title, line 8, by inserting after the word and punctuation "annum;" the words and punctuation "to limit salaries of assistants;".

(Signed) Raecke, Chairman

Enrollment and Review

Presented to Governor for approval

Thursday, March 11, 1943 at 3:30 p.m.

L. B. 178
L. B. 196

Wednesday, March 17, 1943 at 1:30 p.m.

L. B. 62
L. B. 70
L. B. 107
L. B. 158
L. B. 180
L. B. 252
L. B. 259

Correctly Engrossed

L. B. 232
L. B. 82

LEGISLATIVE BILL 211. Placed on Select File with amendments.

E and R amendments to L. B. 211:

1. Strike the Legislature amendment by Mr. Peterson, and in the bill, Section 3, page 4, line 17, strike: "**to such employee his total contributions.**" and in lieu thereof, insert: "**the total contributions, so made by such employee, without interest, to him or her.**"

2. In the bill, Section 1, page 2, line 15, strike the punctuation ";" and in lieu thereof, insert: "~~,~~ ;".

3. In the bill, Section 2, page 3, line 5, strike: "**, and all**", and in lieu thereof, insert: "**. All**"; line 6, after the word "**from**" and before the word "**employees'**", insert the word "**the**".

4. In the bill, section 3, page 3, line 6, after the word "continue" insert the word "**the**"; line 7, strike the word "for" and in lieu thereof, insert: "~~for~~ **of**"; line 9, strike the punctuation "~~,~~" after the word "month"; on page 4, line 13, strike the word "**age**" at the end of said line, and in lieu thereof, insert: "**the age of**"; line 14, after the word "**sixty**" and before the punctuation ".", insert the word "**years**".

5. Insert the word "**the**", in the bill, in the following places: Section 4, page 4, line 3, and Section 5, page 4, line 3, after the word "In" and before the word "event"; Section 6, page 4, line 3, after the

word "At" and before the word "age"; Section 7, page 6, line 22, after the word "**when**"; line 24, after the word "**all**", at the end of said line; Section 10, page 6, line 7, after the word "**of**" and before the word "**mutual**"; in Section 7, page 5, line 3, strike the word "the" after the word "In" and before the word "event", and in lieu thereof, insert the word "**the**".

6. In the bill, Section 4, page 4, line 5, after the word "received" insert the word "**such**"; line 6, before the word "pay", insert the word "to"; lines 11 and 12, strike: "Such amount shall include any service bonus so paid." (same not included in the 1941 Supp.).

7. In the bill, Section 5, page 4, line 5, strike the word "after", and in lieu thereof, insert: "prior to, **after**"; Line 6, before the word "pay" insert the word "to"; line 8, strike the word "city" and in lieu thereof, insert: "school district".

8. In the bill, Section 6, page 5, line 9, before the word "**the**", strike the punctuation ";" and in lieu thereof, insert: "; ,"; line 11, after the word "**district**", insert the word "**for**"; line 18, strike: "**a period of**"; line 20, after the word "**month**", insert the following: "**, in addition thereto,**".

9. In the bill, Section 7, page 5, line 11, strike the words "**for life**" after the word "**pension**", and after the word "**month**" and before the punctuation ",", at the end of the line, insert the words "**for life**"; line 13, after the word "**of**" insert the word "**such**", and strike the words: "**over fifteen years**"; line 15, at the beginning of said line, before the word "**disability**", insert the following: "**if such employee has a**", and after the word "**which**", strike the words "**the employee**" and in lieu thereof, insert the words: "**he or she**"; line 16, after the punctuation "," and before the word "**shall**", insert: "**such employee**"; line 17, strike: "**entitle the employee**", and in lieu thereof, insert: "**be entitled**", and in said line, after "**(b)**" and before the word "**disability**", insert the word "**such**", also on page 6, line 22, after "**(c)**"; line 31, strike the word "**is**", at the end of the line, and in lieu thereof, insert the word "**has**"; line 32, after the word "he" and before the word "is", insert: "**or she**".

10. In the bill, Section 8, page 6, line 5, after the word "**him**" and before the punctuation ",", insert: "**or her**"; strike all of line 6, after the word "**he**" and all of line 7, and in lieu thereof, insert: "**or she shall repay the full amount so received to said fund.**".

11. In the bill, Section 10, page 6, line 6, after the word "**protection**", insert: "**to be**".

12. In the bill, Section 11, page 7, line 8, strike the following: "**, but if not so electing to**", and in lieu thereof, insert: "**but, if electing to not so**"; line 10, before the word "**act**", strike the word "the", and in lieu thereof, insert the word "**this**".

13. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 5, after "district"; line 16, after "aside" and also after "district"; line 22, after "receipt" and also after "otherwise"; page 3, line 40, after "**refunds**"; line 44, after "**available**"; Section 2, page 3, line 6, after "**checks**"; Section 3, page 3, line 6, after "board" and also after "discretion"; line 12, after "**employees**"; Section 3, page 4, line 13, after "years"; line 16, after "**employee**"; Section 6, page 5, line 16, after "**years**"; Section 7, page 5, line 15, after "**disability**"; Section 7, page 6, line 25, after "**district**"; Section 8, page 6, line 3, after "**otherwise**"; Section 9, page 6, line 4, after "**Persons**"; line 5, after "**employment**"; Section 11, page 7, line 1, after "**plan**" and also after "**act**"; line 3, after "**unless**"; line 4, after "**act**"; line 6, after "**agree**"; line 10, after "**employees**".

14. Strike the punctuation "," in the bill, in the following places: Section 7, page 5, line 20, after "**examinations**"; Section 10, page 6, line 7, after "**fund**"; Section 11, page 7, line 2, after "**education**"; line 11, after "**employees**".

(Signed) James H. Anderson, Chairman

Public Health and Miscellaneous Subjects

Mr. President: Your committee on Public Health and Miscellaneous Subjects voted, by a majority vote of its members, to introduce this bill as a committee bill (L. B. 424).

(Signed) Foster, Chairman

MOTION—Not to Concur

Mr. President: I move that we do not concur in the committee report on L. B. 198 and that said bill be placed on General File.

(Signed) Peterson

The motion prevailed with 27 ayes, 3 nays, 13 not voting.

Placed on General File.

RESOLUTION

LEGISLATIVE RESOLUTION 13. Third Term Amendment.

Mr. Klaver moved that the resolution be adopted.

After discussion Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 27 ayes, 2 nays, 14 not voting.

Mr. Doyle rose to speak to the point of order that under Rule 16, Section 4 the resolution should be referred to a committee.

The President sustained Mr. Doyle's objection.

REQUEST—To Withdraw Name

Mr. President: While I signed the resolution in good faith, after reconsidering conditions in regard to politics and circumstances, I wish to have my name stricken from Resolution 13.

(Signed) Norman.

No objection was offered. So ordered.

MOTION—To Consider Bills on Third Reading

Mr. Raecke moved that bills on Third Reading File be considered at once.

The motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 55. With emergency clause.

A bill for an act relating to the withholding and collecting of any sums required to be withheld by any law of the United States relating to internal revenue; to provide, until March 1, 1945, for the withholding of such sums from the wages or salaries of any officer or employee of the state, any political subdivision thereof, any municipal corporation or any public body or agency created by the laws of this state, the payment of the sums withheld and the making of such records, reports and returns as are provided by any such internal revenue law, or the regulations promulgated thereunder; to provide a limitation date for the operation of this act; to provide for the prescribing of forms and records necessary to carry out this act; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, D. S.
Anderson, James H.
Cullingham
Lee
Peterson
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 89. With emergency clause.

A bill for an act to amend section 77-307, C. S. Supp., 1941, relating to revenue and taxation; authorizing a county judge to require the filing of an inventory in an estate in duplicate or triplicate, for the purposes of this act; to prescribe the procedure for filing claims against estates of deceased persons for the amount due for taxes and the interest and penalty thereon, as prescribed herein, for the year or years that payment of taxes was avoided by them, the allowance thereof, as preferred claims against such estates and the duties of certain county officers in regard thereto; to provide that property, found not to have been assessed for taxation during three taxing periods or taxable years prior to the year the deceased died, shall be taxed at the same rate as it would have been taxed had it been returned for taxation, plus interest thereon at seven per cent per annum from the date or dates prescribed in this act, and a penalty of ten per cent of the amount due on the tangible property omitted and fifty per cent of the amount due on the intangible property omitted; to provide for distribution of such tax paid; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, James H.
Cullingham
Foster
Hubka
Peterson
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 149. Laid over.

LEGISLATIVE BILL 162.

A bill for an act to repeal section 20-2212, Compiled Statutes of Nebraska, 1929, relating to preparation of copies of dockets by the clerk of the district court.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Anderson, D. S.
Cullingham
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 170.

A bill for an act to amend sections 16-664 and 17-156, Compiled Statutes of Nebraska, 1929, relating to sewers; providing that the mayor and city council of cities of the first class, cities of the second class, and board of trustees of villages, shall have power to establish, by ordinance, fair and reasonable rates to persons served by the sewer; to provide for a lien for the charges therefor, upon the property served, and for the collection of such charges; to extend to villages the power to make levy of tax for sewer maintenance; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Norman
Ogden
Osborne
Raecke
Rakow
Reavis

Carmody
Conklin
Craven
Crosby
Crossland
Greenamyre
Gutoski
Hanna
Heiliger
Mekota
Mischke
Mueller
Neubauer
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Peterson.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 187. Laid over.

LEGISLATIVE BILL 389.

A bill for an act to amend section 83-908, Compiled Statutes of Nebraska, 1929, relating to the officers and employees of the penitentiary and their salaries and compensation; changing the salary of the warden thereof until March 1, 1945; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 24:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Doyle
Gantz
Greenamyre
Hanna
Heiliger
Hubka
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 16:

Asimus
Burnham
Carmody
Craven
Dooley
Foster
Garber
Gutoski
Jeffords
Mekota
Neubauer
Osborne
Raecke
Sorrell
Thomas
Weborg

Not voting, 3:

Jeppesen
Mueller
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MESSAGE FROM GOVERNOR

Appointments

March 17, 1943.

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

In accordance with Section 1, Article IV of the Constitution of Nebraska, I am submitting for your information and consideration the following appointments:

Grove M. Porter, Nebraska City, a member of the State Racing Commission to fill the unexpired term of the late Elmer Kay.

Mr. Roscoe S. Hewitt, Hastings, a member of the State Racing Commission for the term beginning March 30, 1943.

Mr. Donald D. Mapes, Norfolk, a member of the State Aeronautics Commission to fill the unexpired term of E. J. Robins, resigned.

Respectfully submitted,
(Signed) Dwight Griswold
Governor of Nebraska.

Referred to Committee on Committees.

SELECT FILE

LEGISLATIVE BILL 306. Referred to E and R for engrossment.

LEGISLATIVE BILL 304. Referred to E and R for engrossment.

LEGISLATIVE BILL 409. Mr. Sorrell asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Mekota offered the following amendments, which were adopted by unanimous consent:

Add the following section: "Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

In the title, strike the word "and" and the punctuation "period" in line 12, add the punctuation "semicolon" after the word "section" in line 12, and add the following "and to declare an emergency."

Referred to E and R for engrossment.

LEGISLATIVE BILL 301. Mr. Sorrell asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 213. Mr. Gantz asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Gantz offered the following amendments, which were adopted by unanimous consent:

Add the emergency clause as follows:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval according to law."

Amend the title by striking the punctuation period after the word "section" in line 12 and insert in lieu thereof the following: "; and to declare an emergency." and to strike the word "and" in said line 12.

Referred to E and R for engrossment.

LEGISLATIVE BILL 201. Mr. Sorrell asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 147. Mr. Sorrell asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Forty-ninth Day, were adopted.

Mr. Mekota moved that the bill be referred to General File for the following specific amendments:

(1) Strike Section 2.

(2) Strike from lines 4 and 5 of the title the following: ", and any excess raised by such levy to be used to construct an historical building for the State Historical Society".

Laid over.

MOTION—To Reconsider Action

Mr. President: I move that the Legislature reconsider its action of February 24 on L. B. 129 and that the bill be placed at the head of General File.

(Signed) Asimus

MOTION—To Amend Asimus Motion

Mr. President: I move that the Asimus motion be amended by striking all after the word "bill" and that the following be substituted in lieu thereof "with the Asimus amendment to L. B. 60 be referred to the proper standing committee for hearing, consideration and report".

(Signed) Mekota

The motion prevailed with 25 ayes, 16 nays, 2 not voting.

Mr. Asimus asked unanimous consent to withdraw his motion.

Objection was raised by Mr. Gutoski.

MOTION—To Amend Asimus Motion

Mr. President: I move to amend the Asimus motion, as amended, as follows; after "report" in last line, add "and report back to the Legislature on or before April 1st".

(Signed) Mischke

The motion prevailed.

The Asimus motion, as amended by Mekota and Mischke, was read and prevailed with 31 ayes, 7 nays, 5 not voting.

MOTION—To Make L. B. 60 Special Order

Mr. President: I move that L. B. 60 be made special order of business for April 2 at 10:30 a.m.

(Signed) Doyle

The motion was lost with 15 ayes, 24 nays, 4 not voting.

Adjournment

At 12:10 p.m. on motion by Mr. Osborne the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 19, 1943

Pursuant to adjournment the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Dooley and Mr. Thompson, who were excused.

The Journal for the Fiftieth Day was approved.

NOTICE OF COMMITTEE HEARINGS

Revenue

L. B. 129 and amendment proposed by Senator Asimus
Thursday, March 25, 1943, 2:00 p.m.

Appropriations

L. B. 423, Thursday, March 25, 1943, 2:45 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 404. Indefinitely postponed.

LEGISLATIVE BILL 388. Indefinitely postponed.

LEGISLATIVE BILL 407. Indefinitely postponed.

(Signed) Raecke, Chairman.

Agriculture

LEGISLATIVE BILL 320. Placed on General File.

(Signed) Neubauer, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL 217. Indefinitely postponed.

LEGISLATIVE BILL 216. Indefinitely postponed.

(Signed) Peterson, Chairman.

Appropriations

LEGISLATIVE BILL 417. Placed on General File with amendments.

Standing Committee amendments to L. B. 417:

1. Amend page 4 of the bill, by striking all of section 3, and substituting the following in lieu thereof:

"Sec. 3. The Board of Control may, in its discretion, receive and place in the Nebraska Institution for the Feeble-minded any spastic person, when application therefor is made by the county board of any county in this state. Before the county board of any county shall make such application, it shall make an investigation into the individual case of the spastic, and, in determining whether application shall be made to the Board of Control, shall take into consideration not only the financial condition of the spastic, and the ability of his relatives to provide and care for him, but shall also take into consideration the effect that having such spastic in the home may have upon other children, if any, in the same family. The county board, before such application is made, shall also require the written consent of the spastic, or, if a minor or otherwise unable to give such consent, the written consent of the guardian, parent or other person standing in loco parentis to the spastic, to the placing of such spastic in the Nebraska Institution for the Feeble-minded. A separate ward for spastic persons shall be provided in such institution by the Board of Control. The per capita cost of maintaining of such ward shall be determined by the Board of Control, and each county, having a spastic person cared for therein shall pay monthly to the Board of Control the per capita cost upon behalf of such spastic person. Such per capita cost thus paid by the county may be recovered by the county from the property of the spastic person, or from his father, grandfather, mother, grandmother, child or

children, in a civil action brought in any court of competent jurisdiction. The Board of Control shall furnish spastic persons confined in such institution with suitable instruction to enable such spastic person, as far as possible, to become self sustaining."

(Signed) Greenamyre, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 334. Placed on General File with amendments.

Standing Committee amendments to L. B. 334:

1. Amend page 3 of the bill, by adding a new section, numbered 7, reading as follows:

"Sec. 7. Since an emergency exists, this act shall be in full force and effect, from and after its passage and approval, according to law."

2. Amend the title, line 8, by striking the word "and".

3. Amend the title, line 10, by striking the period, substituting a semicolon in lieu thereof, and adding: "and to declare an emergency."

LEGISLATIVE BILL 205. Placed on General File with amendments.

Standing Committee amendments to L. B. 205:

Amend the bill, section 1, line 18, by striking the word "four" and inserting the word "one" in lieu thereof.

LEGISLATIVE BILL 117. Placed on General File.

(Signed) Foster, Chairman.

Public Works

LEGISLATIVE BILL 155. Placed on General File with amendments.

Standing Committee amendments to L. B. 155:

1. Amend title of the bill, line 4, by inserting after the word "board" the following: "under commissioner system".

2. Amend page 2 of the bill, section 1, line 3, by striking the new matter in line 3 and inserting the words "**under township organization**".

3. Amend page 2 of the bill, section 1, line 4, by inserting after the word "shall" the following: "**, and the county board under commissioner system may, when it deems it advisable,** ".

4. Amend page 2 of the bill, section 1, line 20, by inserting after the word "board" the following: "**, under commissioner system,** ".

LEGISLATIVE BILL 131. Indefinitely postponed.

(Signed) Mischke, Chairman.

Enrollment and Review

Correctly Enrolled

L. B. 162 L. B. 55 L. B. 389

LEGISLATIVE BILL 171. Correctly re-engrossed.

LEGISLATIVE BILL 102. Placed on Select File with amendments.

E and R amendments to L. B. 102:

1. Strike the first legislature amendment by Mr. Peterson, after the figures "12" in the first line, and in lieu thereof, insert the punctuation "." .

2. In Standing Committee amendment No. 2, at the end thereof, add: "and also strike the comma after the words so stricken" .

3. Strike Standing Committee amendment No. 4, and in the bill, Section 2, page 3, line 6, strike the words "and all", at the end of the line", and in lieu thereof, insert: "except those cities specifically excepted by section 1 of this act. All", and in line 7, after the word "appointees", insert: "of such fire departments" .

4. In Standing Committee amendment No. 8, strike the words and punctuation in quotation marks, and in lieu thereof, insert: "chief, common" .

5. In Standing Committee amendment No. 9, strike the comma after "town", in the third line thereof, and insert a comma in the same line, after "municipality" and also in the next line, after "act" .

6. In Standing Committee amendment No. 10, after the word "words" insert: "and punctuation" , and in Standing Committee amendment No. 11, 2nd line, after the word "word", insert: "and punctuation", and after the word "imprisonment" and before the last quotation mark, insert the punctuation "." .

7. Strike Standing Committee amendment No. 13. In the bill, Section 1, page 2, line 2, after the word "municipality", insert: "in the State of Nebraska,"; at the end of line 4, after "persons;" insert: "provided, however, this act shall not apply to cities with a population of 40,000 which have adopted or which hereafter adopt a home rule charter under and pursuant to sections 2 to 5, inclusive, of Article XI of the constitution of this state."

8. In the bill, Section 1, page 2, line 16, after the word "with" insert the word "the"; line 23, strike the word "he", and in lieu thereof, insert: "such person"; line 30, strike the word "or"; line 31, strike the word "or" at the beginning of said line; line 33, after the word "until", insert the word "written"; line 34, strike: "in writing," and strike the punctuation "," after the word "notice" and in lieu thereof, insert: "given such member" .

9. In the bill, Section 1, page 3, line 36 strike the word "commission" and in lieu thereof, insert: "commissioner"; line 37, after the word "right", strike the word "of", and in lieu thereof, insert the word "to"; strike all of lines 41 to 44, inclusive, and "or grounds." in line 45, and in lieu thereof, insert: "appeal shall be only upon the ground that such judgment or order of removal was not made in good faith for cause and the hearing on appeal shall be confined to the determination of whether or not it was so made." ; line 47, strike: "herein after", and in lieu thereof, insert the word "hereinafter"; strike the comma at the end of line 48, and the words "and the", at the beginning of line 49, and in lieu thereof, insert: ". The concurring"; line 49, strike the word "any" before the word "two", and strike the word "concurring" at the end of line 49 and the beginning of line 50; line 53, strike the word "said", and in lieu thereof, insert the word "the"; line 56, after the word "commissioners", insert: ", including the one or ones to be appointed," .

10. In the bill, Section 2, page 3, line 2, strike the word "of" after the word "municipalities", and in lieu thereof, insert the word "in".

11. In the bill, Section 3, page 3, line 1, insert the word "the" after the word "and" .

12. In the bill, Section 4, page 4, line 1, strike: "appointment," and in lieu thereof, insert: "the appointment of the commission, and

thereafter upon the appointment of a new commissioner,"; line 2, strike the word "and" at the end of the line, and in lieu thereof, insert: ". It shall"; strike all of line 5, and in lieu thereof, insert: "of its duties. It shall appoint some person as secretary and chief"; line 11, after the word "of", insert the word "a", and after the word "which" and before the word "may", strike the word "examination"; line 15, strike the words "other departments", and in lieu thereof, insert: "some other department"; line 19, strike the words "the case of", and in lieu thereof, insert: "this act for"; line 21, after the word "commission" and before the punctuation ":", insert the word "to"; line 22, strike: "To make", and in lieu thereof, insert: "Make"; line 25, strike the word "and" before the word "appointments" .

13. In the bill, Section 4, page 5, strike lines 27 to 36 inclusive, and in lieu thereof, insert the following: "discharges may be made and for any other matters which may be considered desirable to further carry out the general purposes of this act or found to be in the interest of good personnel administration. Such rules and regulations, and any amendments thereto, shall be printed, mimeographed or multigraphed for free public distribution and may be changed from time to time."

14. In the bill, Section 4, page 5, line 37, strike the word "All", and in lieu thereof, insert: "Provide that all", and in said line, strike: ", and shall", and in lieu thereof, insert the word "and"; line 39, strike: "examined to perform", and in lieu thereof, insert: ", who are to be examined, to perform the"; line 40, insert the word "an" after the word "which"; strike all of line 42, and "commission shall provide" in line 43, and in lieu thereof, insert: "(3) Provide, by the rules and regulations,"; line 44, strike the word "for", and in lieu thereof, insert: ", for an"; line 49, after the word "credits", insert the words "shall only"; line 50, strike the word "only" ; strike all of line 51, and in lieu thereof, insert: "(4) Make an investigation" .

15. In the bill, Section 4, page 5, strike all of line 60, beginning with the word "Not", and all of line 61, on page 6, and in lieu thereof, insert: "The commission shall also"; line 62, insert the word "a" after the word "make", and after the word "on", insert: "the written"; line 64, strike: "in writing,"; line 65, after the word "such", insert the word "an"; strike all of line 66, and in lieu thereof, insert, "an investigation, the commission, designated commissioner"; line 68, strike: "subpoena and", and in lieu thereof, insert: "issue subpoenas to"; line 70, strike the word "also" after the word "and"; line 75, strike: "; and the oaths administered hereunder", and in lieu thereof, insert: ". The oaths administered"; line 77, strike "his", at the end of the line and insert "a"; line 78, strike: "; and the failure upon the part", and in lieu thereof, insert: ", and subpoenas issued by the district courts of Nebraska. The

failure"; lines 79 and 80, strike: "with the provisions of this section", and in lieu thereof, insert: "therewith,"; line 80, insert the word "be" at the end of said line, after the word "and" .

16. In the bill, Section 4, page 6, line 82, strike the word "All", and in lieu thereof, insert: "Provide that all"; line 83, strike the word "or" before the word "designated"; line 84, strike the word "by" before the word "rules", and in lieu thereof, insert the word "the"; lines 85 and 86, strike: ", and in", and in lieu thereof, insert: ". In"; lines 86 and 87, strike: "neither the commission nor designated commissioner shall", and in lieu thereof, insert: ", they shall not"; strike the word "before" at the end of line 89, and in line 90, strike: "the commission, or designated commissioner," .

17. In the bill, Section 4, page 7, line 96, after the word "until", insert: "it is"; line 98, strike: "To hear", and in lieu thereof, insert the word "Hear"; lines 99 and 100, strike: "; appeals upon", and in lieu thereof insert the punctuation ","; line 100, strike the punctuation ";" after "positions", and in lieu thereof, insert the punctuation ","; line 101, strike the punctuation ";" after the word "examination" ; line 109, strike: ", and to provide", and in lieu thereof, insert: ". Provide"; lines 110 and 111, strike: ", and for like", and in lieu thereof, insert: "or similar"; strike: "men appointed" in line 114, and all of lines 115 to 117, inclusive, and in lieu thereof, insert: "person or persons appointed to the fire department, until such necessary reductions have been accomplished. When and if the said" .

18. In the bill, Section 4, page 7, strike lines 122 and 123, and in lieu thereof, insert: "(9) Certify, on a written request, when a vacant position is to be filled, to the appointing authority"; line 125, strike the word "are" after the word "there", and in lieu thereof, insert the word "is", and strike the word "lists", after the word "such", and in lieu thereof, insert the word "list", and at the end of said line, after the word "authorize", insert the word "a"; line 128, strike: "; nor shall any", and in lieu thereof, insert: ". No" ; page 8, line 129, insert the word "shall" at the beginning of said line, before the word "receive" .

19. In the bill, Section 5, page 8, line 4, after the word "such" and before the punctuation ",", insert: "city, town or municipality"; line 5, strike the punctuation "," after the word "effect", and in lieu thereof, insert the word "and", and at the end of said line, after the word "served", insert the word "continuously"; line 7, strike: "continuously,"; line 8, after the word "appointment", insert: ", and not on probation,"; line 10, after the word "without", insert the word "an"; in lines 10 and 11, strike: ", and not on probation; and", and in lieu thereof, insert the punctuation ";"; line 12, strike the punctuation ","

at the end of said line, and in lieu thereof, insert the word "and"; line 16, after the word "after", insert the word "an" .

20. In the bill, Section 6, page 8, line 1, strike: "(1)"; strike lines 3 to 9 inclusive, and in lieu thereof, insert: "of America, an elector of the county in which such applicant resides, able to read and write the English language, a resident of said city for at least one year last past, of good moral character and of temperate and industrious habits. These facts are to be".

21. In the bill, Section 7, page 9, line 3, strike: ", and any", and in lieu thereof, insert: ". Any"; strike the word "or" at the end of line 4; line 5, strike the word "privileges"; line 11, strike: "or any other", and in lieu thereof, insert the word "any"; line 12, strike: "; or any other", and in lieu thereof, insert: ", any"; line 14, strike the punctuation ";" before the words "or any"; line 20, insert the word "the" after the word "or"; line 22, insert the word "an" after the word "such"; line 24, strike: ", or which", and in lieu thereof, insert the word "or"; line 27, strike ", or a", and in lieu thereof, insert "or"; line 29, strike "And", and in lieu thereof insert "Any" .

22. In the bill, Section 8, page 9, line 3, after the word "under", insert the word "the"; line 4, strike: ", and", and in lieu thereof, insert: "and then"; page 10, line 6, strike: ", a", and in lieu thereof, insert: ". A", and before the word "accusation", strike the word "which", and in lieu thereof, insert the word "such"; lines 10 and 11, strike: "the act which must be", and in lieu thereof, insert: "this act. The commission must act upon the same"; line 17, after the word "whether", insert the words "or not"; line 18, strike: "or was not"; line 19, strike: "was or was not made"; line 21, strike ", or", and in lieu thereof, insert: "or, "; line 24, strike the word "shall"; line 28, after the word "commission", insert: ", in its discretion,", and after the word "provides" strike: "in its discretion"; strike all of line 37 except the words "in writing to", and strike: "enforced by such officer." in line 38, and in lieu thereof, insert: "and enforced by the appointing power." .

23. In the bill, Section 8, page 11, line 41, strike: ", at which", and in lieu thereof, insert: ". At such"; line 47, strike: "of the county wherein he resides"; strike lines 48 and 49, and in lieu thereof, insert: "within thirty days after the entry of such judgment or order by serving the commission with a written notice of appeal stating"; line 51, strike the word "of" after the word "and" and before the word "all"; line 55, strike the word "such", and in lieu thereof, insert: "and deliver said papers to the district"; line 59, after the word "whether", insert: "or not"; line 61, strike: " or was not"; line 62, strike: ", and no", and in lieu thereof, insert: ". No" .

24. In the bill, Section 9, page 11, line 2, strike the word "of" after the word "ways", and in lieu thereof, insert: ", the"; line 3, after the word "out" insert the word "of"; line 5, strike the word "and" after the word "thereunder", and in lieu thereof, insert the punctuation ","; page 12, line 10, strike the words "and also"; line 11, strike: ", and", and in lieu thereof, insert: "and to", and at the end of said line, strike the word "so"; line 12, after the words "to do", insert the word "so" .

25. In the bill, Section 10, page 12, line 5, after the word "person" insert: "willing to accept such employment who is the"; lines 6 and 7, strike: ", who is willing to accept employment"; line 9, strike the words "said list", and in lieu thereof, insert: "its list who is"; line 13, strike: "to such vacant position", and in lieu thereof, insert: "or persons to such vacant position or positions"; and at the end of said line, after the word "Whenever", insert the word "a"; line 20, strike: "or given" and in lieu thereof, insert: "given a"; at the end of line 23, after the word "opportunity" insert: "has been given such person"; line 24, strike the word "its" after the word "with", and in lieu thereof, insert the word "the"; line 25, after the word "approval" and before the punctuation ".", insert: "of the commission"; line 31, after the word "which", insert the word "time"; page 13, line 32, strike: "him, or it, if", and in lieu thereof, insert: "it if,"; line 33, strike the punctuation "," after the word "afforded", and in lieu thereof, insert the word "and", and after the word "upon", insert the word "an"; line 34, strike the word "him", and in lieu thereof, insert: "such person"; line 40, strike: ", whereupon", and in lieu thereof, insert: "and then" .

26. In the bill, Section 11, page 13, line 8, strike: ", and", and in lieu thereof, insert the punctuation ";" ; line 10, strike the word "or" after the word "person" and before the word "group", and in lieu thereof, insert the punctuation "," .

27. In the bill, Section 12, page 14, line 13, strike: "or of", and in lieu thereof, insert the punctuation "," .

28. In the bill, Section 13, page 14, line 1, strike the word "Leave", and in lieu thereof, insert: "A leave"; line 2, strike the word "or" after the word "power" and in lieu thereof, insert the word "to"; lines 4 and 5, strike: "temporary employment caused by leaves of absence", and in lieu thereof, insert: "appointments for temporary employment, resulting from such leaves of absence," .

29. In the bill, Section 14, page 14, line 5, strike: "chief legal officer of the city," , and in lieu thereof, insert: "city attorney"; line 6, strike: "in any case", and in lieu thereof, insert the word "also"; line 7, after the word "it" and before the punctuation ".", insert: "in any particular case" .

30. In the bill, Section 15, page 14, line 3, strike the punctuation "," after the word "deceive" (not shown in the printed bill), and strike the words "of his" and in lieu thereof, insert: "to the"; line 5, strike the word "of" after the word "regulations", and in lieu thereof, insert: "made pursuant to", and strike the word "or" before the word "falsely"; line 6, strike: "of proper", and in lieu thereof, insert the word "and"; line 7, strike: "pursuant to", and in lieu thereof, insert: ", in accordance with"; line 8, strike the word "or" before the word "make"; page 15, line 10, strike the word "or" before the word "furnish"; line 16, strike the word "or" after the word "examination" and also after the word "registration", and in each place insert the punctuation "," in lieu thereof; line 17, insert the word "so" after the word "be".

31. In the bill, Section 16, page 15, line 5, strike: ", and no" and in lieu thereof, insert: ". No"; line 10, strike the word "so" after the word "threaten", and after the word "do" and before the punctuation "," insert the word "so"; line 11, strike the word "or" after the word "giving" and in lieu thereof, insert the punctuation ","; line 12, strike: "or services," and in lieu thereof, insert the word "services".

32. In the bill, Section 17, page 15, line 3, strike the word "thereof", and in lieu thereof, insert: "of this act", and strike the word "this" at the end of said line, and all of line 4, and in lieu thereof, insert: "it into effect. The failure of the duly"; line 5, strike the word "so" after the word "city", and after the word "do" insert the word "so".

33. In the bill, Section 18, page 15, line 5, strike the word "and" after the word "heated", and in lieu thereof, insert the punctuation ",".

34. In the bill, Section 19, page 16, line 7, strike the word "so" before the word "to", and after the word "do" and before the punctuation ",", insert the word "so".

35. In the bill, Section 20, page 16, strike all of line 3, after the word "and", and all of line 4, except the word "make" at the end of said line; line 6, after the word "carrying", insert: "into effect"; line 7, strike: "thereof into effect; and", and in lieu thereof, insert: "of this act;".

36. In the bill, Section 23, page 17, strike all of line 22, and in lieu thereof, insert: "in which the officers and firemen are paid".

37. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 1, after "created"; line 21, after "city"; page 3, line 52, after "commission"; Section 2, page 3, line 2, after "Nebraska"; Section 4, page 4, line 2, after "organize"; line 3, after "meetings"; Sec-

tion 4, page 6, line 64, after "forth"; line 69, after "accounts"; line 71, after "witnesses"; line 72, after "state"; line 77, after "oaths"; line 82, after "investigations"; line 94, after "commissioner"; page 7, line 95, after "alone"; line 103, after "maintain"; line 104, after "form"; line 107, after "and"; line 108, after "thereof"; line 109, after "off"; line 118, after "numbers"; line 119, after "suspended" and also after "act"; Section 5, page 8, line 14, after "effectually"; line 15, after "purposes"; line 16, after "thereto"; Section 6, page 8, line 1, after "applicant"; Section 7, page 8, line 2, after "employment" and also after "act"; page 9, line 29, after "which"; line 30, after "commissioners"; Section 8, page 9, line 1, after "service"; page 10, line 9, after "member"; line 12, after "may"; line 32, after "discharge"; page 11, line 39, after "commission", also after "section"; line 42, after "appearing"; line 51, after "papers"; line 60, after "suspension"; Section 9, page 11, line 2, after "aid"; Section 10, page 12, line 11, after "filled"; line 27, after "promotion" and after "service", at the end of said line; line 30, after "Commission"; Section 11, page 13, line 2, before "coming"; line 5, after "law"; Section 12, page 13, line 2, after "municipality"; line 6, after "person"; line 10, after "services"; page 14, line 21, after "employee"; line 23, after "wilfully"; line 24, after "negligence"; Section 15, page 14, line 1, after "registration"; page 15, line 11, after "information"; Section 16, page 15, line 2, after "employment"; Section 18, page 15, line 2, after "city"; page 16, line 10, after "failure"; Section 19, page 16, line 5, after "commission"; line 6, after "failure"; Section 20, page 16, line 1, after "commission"; line 5, after "regulations"; line 7, after "failure"; line 8, after "thereof"; Section 22, page 17, line 1, after "person"; line 2, after "act"; line 3, after "and"; Section 23, page 17, line 3, after "service commission"; Section 24, page 18, line 2, after "shall" and also after "reason".

38. Strike the punctuation "," in the bill, in the following places: Section 1, page 2, line 2, after "town" and also after "department"; line 15, after "commission"; line 16, after "appoint"; line 28, after "four years"; line 31, after "office" and also after "cause"; Section 2, page 3, line 3, after "department"; Section 3, page 3, line 3, after "town"; page 4, line 6, after "efficiency"; line 9, after "suspended"; line 10, after "position"; Section 4, page 4, line 6, after "examiner"; line 8, after "direction"; line 13, after "town" and also after "municipality"; line 17, after "reduction"; line 26, after "suspensions"; page 5, line 40, after "made"; line 45, after "war"; line 53, after "act"; line 55, after "positions"; page 6, line 63, after "exist"; line 67, after "examiner"; line 69, after "documents"; line 83, after "commissioner"; line 89, after "hearing"; line 91, after "rule"; line 92, after "approved"; page 7, line 105, after "formulate"; line 107, after "position"; Section 5, page 8, line 2, after "injury"; Section 7, page 9, line 5, after "rank"; line 10, after "public"; line 21, after "narcotics"; Section 8, page 10, line 5, after "power"; line 7, after "accused"; line 22, after "suspension"; line 23,

after "reasons"; line 28, after "retroactive"; line 35, after "duty"; line 36, after "grade" and also after "certified"; page 11, line 50, after "thereof"; line 54, after "days"; Section 9, page 11, line 3, after "act"; Section 10, page 12, line 2, after "power"; line 14, after "made"; line 18, after "power"; Section 11, page 13, line 7, after "appoint"; line 10, after "persons"; Section 12, page 13, line 5, after "services"; Section 15, page 14, line 1, after "person"; page 15, line 9, after "same"; line 13, after "certified"; Section 16, page 15, line 6, after "salary"; line 11, after "withholding"; line 12, after "thing"; Section 17, page 15, line 2, after "act"; Section 19, page 16, line 8, after "act"; Section 20, page 16, line 9, after "so" and also after "act"; Section 22, page 17, line 3, after "misdemeanor"; line 5, after "dollars"; Section 23, page 17, line 8, after "commission"; line 9, after "are"; line 10, after "appoint"; Section 24, page 18, line 2, after "act".

39. In the bill, title, page 1, 3rd line, strike the word "cities", and in lieu thereof, insert: "every city, town and municipality in the State of Nebraska,"; in the 4th and 5th lines, strike: "in the State of Nebraska", and in lieu thereof, insert: ", except in certain cities expressly excepted from the provisions of this act"; and at the end of the 5th line, after the word "system", insert the punctuation ","; 9th line, strike the word "and" after the word "departments", and in lieu thereof, insert the words "in the"; 10th line, after the word "cities" and before the punctuation ";" insert: "covered by this act"; 12th line, after the punctuation ";" and before the words "to provide", insert: "to define certain terms; to prescribe the powers, duties, eligibility, procedure and organization of such commissions and of certain officers and employees of such cities, towns and municipalities;".

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 162 L. B. 55 L. B. 389

RESOLUTIONS

L. R. 13. Referred to Committee on Government.

MOTION—Special Order

Mr. President: I move that L. B. 145 be made special order of business for 10:00 a.m. for Thursday, March 25.

(Signed) Gantz

MOTION—To Amend

Mr. Greenamyre moved to amend the Gantz motion by striking the date March 25, 1943, and inserting in lieu thereof the date April 1, 1943.

Mr. Greenamyre's motion prevailed.

Mr. Gantz' motion as amended lost with 18 ayes, 8 nays, 17 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 424. By Committee on Public Health and Miscellaneous Subjects, Foster of Douglas, Chairman.

A bill for an act relating to public health and welfare; to provide for the regulation of the business of boarding and care of children; to define terms; to require as a condition to engaging in such business that a license be obtained from the Department of Public Health; to provide that the Department of Public Health shall prescribe the form of, issue and cancel such license, and prescribe rules and regulations for the conduct of such business; to prescribe penalties; and to declare an emergency.

MOTION—Intergovernmental Cooperation

Mr. President: I move that the Committee on Intergovernmental Cooperation be authorized to send three of its members to attend the Regional Meeting at Chicago on April 2 and 3, 1943, and to pay the necessary expense of attendance.

(Signed) Peterson

The motion prevailed.

MOTION—To Suspend Rules and Refer

Mr. Foster moved that the rules be suspended and that L. B. 424 be referred at once.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE BILL 424. Referred to Committee on Public Health & Miscellaneous Subjects.

REQUEST—For Consent to Introduce Bill

Mr. Garber asked for unanimous consent to introduce a bill regarding an historical building for Nebraska.

No objection was offered. So ordered.

MOTION—To Suspend Rules and Read

Mr. Garber moved that the rules be suspended and that L. B. 425 be read the first time.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 425. By Garber of Webster.

A bill for an act relating to revenue and taxation; to provide that any excess raised by the levy provided for by Legislative Bill 147, Fifty-sixth Session of the Nebraska Legislature, not needed to reimburse in full the Permanent School Fund, shall be used for the construction and equipment of an historical building for the Nebraska State Historical Society, when specific appropriation is made therefor by the Legislature.

MOTION—To Suspend Rules and Refer

Mr. Garber moved that the rules be suspended and that L. B. 425 be referred to the Committee on Enrollment and Review for review.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

SELECT FILE

LEGISLATIVE BILL 147. By unanimous consent Mr. Mekota withdrew his amendments, found in the Legislative Journal for the Fiftieth Day.

Mr. Garber offered the following amendments, which were adopted by unanimous consent:

1. Amend Sec. 2, page 2 of the bill, lines 4 to 7, by striking all of such lines, and all amendments to such lines, and insert in lieu thereof: "disposed of in such manner as may be provided by law."

2. Amend the title to the bill, as amended by the Committee on Enrollment and Review, by striking therefrom: "set aside in a special fund to be used to construct and equip an historical building for the State Historical Society, when specific appropriation is made therefor by the Legislature." and insert in lieu thereof: "disposed of in such manner as may be provided by law."

Mr. Raecke offered the following amendments, which were adopted by unanimous consent:

In the Enrollment and Review amendments Nos. 1 and 4 of March 17, 1943, strike the figures "$685,566.83" and insert in lieu thereof the figures "$503,929.10".

Referred to E and R for engrossment.

LEGISLATIVE BILL 211. Mr. Peterson asked that unanimous consent be granted to waive the reading of E and R amendments.

No objection was offered. So ordered.

E and R amendments, found in the Legislative Journal for the Fiftieth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 60. Mr. Raecke offered the following amendment, which was adopted:

Amend standing committee amendment No. 6, page 2, line 50 by striking the word "per" after the word "one" and before the word "cent".

Mr. Lee offered an amendment, which was lost with 6 ayes, 19 nays, 18 not voting.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend page 5 of the bill, section 1, line 107, by striking the words and punctuation "and (c)" and substituting in lieu thereof: "(c) for the share of the Department of Roads and Irrigation of the cost of maintenance of state aid bridges as provided in section 39-1507, Compiled Statutes of Nebraska, 1929, and (d)".

Mr. Crosby offered the following amendments, which were adopted:

Amend page 5 of the bill, section 1, by striking all of lines 121 to 130 and substituting the following in lieu thereof:

"(5) **After June 30, 1943, the gasoline tax fund shall be distributed by the State Treasurer as follows:**

(a) **The State Treasurer shall first make all refunds as provided in subsection 3 of section 66-405, C. S. Supp., 1941, as amended by section 2 of this act;**

(b) **Twenty per cent of the remainder of the gasoline tax fund shall then be credited and shall inure to the State Assistance Fund;**

(c) **The State Treasurer shall then pay all warrants drawn by the Auditor of Public Accounts for all refunds, and for such amount as shall be necessary to provide the identifying chemicals, as provided in section 66-437, C. S. Supp., 1941;**

(d) **After distribution and payment of the amounts above set forth,** three-eighths **of the balance** of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner and for the same uses as hereinabove provided; and

(e) **The other five-eighths of** the balance remaining in said fund shall be transferred to the Department of Roads and Irrigation in the same manner and for the same uses and purposes as hereinabove provided in this section.

Referred to E and R for review.

Approved by the Governor

March 18, 1943.

To the President, the Speaker and Members of the Legislature.
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 70
L. B. 107
L. B. 158
L. B. 180
L. B. 252
L. B. 259
L. B. 62

Respectfully submitted,
(Signed) Robt M. Armstrong
Secretary to the Governor

Information for Appropriation Committee

Mr. Mueller brought up the matter of securing information from the Department of Health in connection with the appropriation bill.

MOTION—Authority to Appropriation Committee

Mr. President: I move that the Appropriation Committee be granted authority by this Legislature to obtain whatever information the Appropriation Committee desires and such other information that will enable them to act upon their request for money needed.

(Signed) Klaver

No action taken.

Adjournment

At 12:13 p. m. on motion by Mr. Greenamyre the Legislature adjourned until 10:00 a. m. Monday, March 22, 1943.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 22, 1943.

Pursuant to adjournment the Legislature met at 10:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hubka, who was excused for the day, and Mr. Mekota, was was excused for the forenoon.

The Journal for the Fifty-first day was approved as corrected.

Visitor

Mr. Peterson introduced Dr. R. E. Montanna from Minnesota, who addressed the Legislature.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 399, Wednesday, March 31, 1943, 2:00 p.m.

L. B. 413, Wednesday, March 31, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE BILL 335. Placed on General File with amendments.

Standing Committee amendments to L. B. 335:

Amend the bill Section 1, line 3, by striking the word "two" following the word "which" and insert in lieu thereof the word "three".

(Signed) Neubauer, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 315. Indefinitely postponed

LEGISLATIVE BILL 274. Placed on General File.

LEGISLATIVE BILL 227. Indefinitely postponed.

LEGISLATIVE BILL 160. Placed on General File with amendments.

Standing Committee amendments to L. B. 160:

1. Amend the bill, by striking all of line 3, section 1, after the word "person" and strike line 4.

2. Amend the bill, line 5, section 1, by inserting the words "sell or" after the word "shall" and before the word "permit".

3. Amend the bill by striking sub-division "(c)" of section 1.

4. Amend the bill, section 1, line 28, by striking the word "subsections" and insert in lieu thereof the word "subsection".

5. Amend the bill, section 1, line 22 by striking "(d)" and inserting in lieu thereof "(c)".

6. Amend the bill section 1, line 29 by striking the following "and (d)".

7. Amend page 2 of the bill, section 1, line 31, by inserting after the word "than" the words "thirty days nor more than".

8. Amend page 2 of the bill, section 1, line 32, by inserting after the word "than" the words "ten dollars nor more than".

9. Amend the bill, section 1, line 34, by inserting after the word "dollars" the words "nor more than five hundred dollars.".

10. Amend page 3 of the bill, section 1, line 36, by inserting after the word "days" and before the punctuation the words "nor more than six months".

(Signed) Foster, Chairman.

Banking, Commerce and Insurance

LEGISLATIVE BILL 400. Placed on General File with amendments.

Standing Commitee amendments to L. B. 400:

Amend title by striking all after the word "Act" in line 1 and inserting in lieu thereof the following: "relating to non-profit corporations; to enact a General Corporation Law for Nebraska relating to corporations, foreign and domestic, not organized for pecuniary profit; to define terms; to provide for their incorporation, operation, management, control, regulation, merger, consolidation, dissolution, and for the renewal, extension or restoration of their corporate existence; and to declare an emergency."

Amend the bill by striking all of the bill after the enacting clause and inserting in lieu thereof the following:

"Section 1. The terms "non-profit corporation" or "corporation not organized for pecuniary profit" or "corporation which is not organized for profit" used in this act or the title thereof, are for all the purposes thereof herein defined as any corporation organized for the transaction of any lawful business or to promote or conduct any legitimate objects or purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual and on the stock of which, if it issues stock, no dividends shall be declared or paid to the holders or owners of such stock.

Section 2. Except as elsewhere in this act provided, and except where inconsistent with the non-profit non-stock character of the corporations herein provided for, the provisions of Article 1, Chapter 24, C. S. Supp. 1941, except Sections 24-126, 24-1.103 and 24-1.104 thereof, shall be as equally applicable and available to corporations established after the effective date of this act for the transaction of any lawful business not for pecuniary profit and without capital stock as to corporations established for the transaction of any lawful business for pecuniary profit, and are by reference made a part of this act.

Section 3. The business and internal affairs of every such corporation organized under the provisions of this act shall be managed as provided in the Articles of Incorporation and By-Laws; Provided, however, that each member of such corporation shall at every meeting be entitled to one vote in person or by proxy.

Section 4. A non-profit corporation, which was organized with capital stock prior to the effective date of this act, may provide in its Articles of Incorporation that any stock issued by it shall be placed under the control and held by the governing board of such non-profit corporation, such board to have full, complete, exclusive and irrevocable power during the continuance of the corporate existence to hold such stock and to vote the same as fully and completely as if such board collectively were the owner thereof. In such event, should the members of the governing board be unable to agree as to how the stock should be voted, the majority of them shall cast the vote of the board.

Section 5. The provisions now and hereafter contained in this act shall be known and may be identified and referred to as "The General Non-Profit Corporation Law of the State of Nebraska."

Section 6. All non-profit corporations heretofore organized under Articles 1 or 2 of Chapter 24, Compiled Statutes of Nebraska, 1929, or such articles as amended, or any law which the said articles may have replaced, shall operate under and be subject to the provisions of this act; provided, that no rights, privileges and immunities vested or accrued by and under prior statutes, no suits pending, no rights of action conferred, and no duties, restrictions, liabilities and penalties imposed or required by and under such statutes shall be impaired, diminished or affected thereby. Any non-profit corporation operating or organized under Articles 6, 7, 9 and 15 of Chapter 24, Compiled Statutes of Nebraska, 1929, or such Articles as amended, or any law which the said Articles may have replaced may (but are not required to) become subject to the provisions of this act by filing in the office of the Secretary of State such amendment to its Articles of Incorporation, as shall make such articles comply with the requirement of this act, and by stating in the amended articles that such non-profit corporation intends to become organized under this act. Certified copies of such amended Articles of Incorporation shall be filed with the county clerk of the county in which such non-profit corporation has its principal place of business and notice of such amendment shall be published in the manner providing for the publishing of notice of incorporation required under the "General Corporation Law of the State of Nebraska."

Section 7. Since an emergency exists, this act shall be in full force and effect, from and after its passage and approval, according to law."

LEGISLATIVE BILL 212. Placed on General File with amendments.

Standing Committee amendments to L. B. 212:

1. Amend the bill, pages 2 to 6, by striking all of sections 1 to 11, inclusive, and substituting the following in lieu thereof:

"Section 1. All written assignments of accounts shall be valid and legal and shall pass the title according to the terms of the instrument of assignment, without the necessity of notice to the debtor, and the transfer of title shall take effect and be valid against all persons as of the date of delivery of the assignment. Such assignment shall be correctly dated and shall be acknowledged in the form required for instruments conveying title to real property. Provided, however, that in any case where notice of assignment is not given the debtor, and, acting without knowledge of the assignment, the debtor pays or discharges in whole or in part the obligation to the original owner of the same in good faith, such payment shall be sufficient acquittance to the debtor and discharge of the obligation in whole or pro tanto, as the case may be. This act shall have no application to the assignment of wages."

2. Amend the title by striking all of lines 3, 4, 5, and 6 and substituting the following in lieu thereof: "to provide that all written assignments of accounts shall be valid without necessity of notice to the debtor, and to protect the debtor in the event he pays the original owner of the obligation without notice of the assignment; and to except from the act assignments of wages and salaries."

(Signed) Peterson, Chairman

Judiciary

LEGISLATIVE BILL 322. Placed on General File with amendment.

Standing Committee amendment to L. B. 322:

Amend the bill, section 1, line 6, by striking the words **"thirty-three** hundred" and inserting in lieu thereof the words **"three thousand".**

LEGISLATIVE BILL 247. Placed on General File with amendments.

Standing Committee amendments to L. B. 247:

Amend page 2 of the bill, section 1, line 9, by striking the punctuation "." at the end of the line, substituting the punctuation "," in lieu thereof, and then adding: "or where an indeterminate sentence is provided for any offense, the court shall impose a sentence not less than double the minimum sentence and not more than double the maximum sentence provided for such offense; Provided, in no event shall the punishment be greater than the minimum sentence for a person who has twice been convicted of crime, sentenced and committed to prison, as hereinafter provided, except where greater punishment is otherwise provided by statute, in which case the law creating the greater punishment shall govern."

LEGISLATIVE BILL 282. Placed on General File.

LEGISLATIVE BILL 285. Placed on General File.

LEGISLATIVE BILL 358. Indefinitely postponed.

LEGISLATIVE BILL 377. Indefinitely postponed.

(Signed) Gantz, Chairman.

Government

LEGISLATIVE BILL 402. Placed on General File.

LEGISLATIVE BILL 238. Placed on General File.

(Signed) Doyle, Chairman.

Enrollment and Review

Correctly Engrossed

L. B. 301
L. B. 130
L. B. 409
L. B. 306
L. B. 304

Correctly Enrolled

L. B. 179
L. B. 89
L. B. 170

Presented to Governor for Approval

Saturday, March 20, 1943, at 8:45 a.m.

L. B. 55
L. B. 162
L. B. 389

LEGISLATIVE BILL 201. Replaced on Select File with amendments.

E and R amendments to L. B. 201:

1. In the bill, Section 1, page 2, line 5, insert the word "North" after the word "Nine" and before the comma.

2. In the title, page 1, 7th line, strike the word "Four" after the word "Township" and in lieu thereof, insert the word "Nine".

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

L. B. 179 L. B. 89 L. B. 170

Member excused

Mr. Crosby was excused on account of illness.

REPORT—Rules Committee

Mr. President: Your Committee on Rules, to whom was referred the amendment to Rule 13, Section 7, by unanimous vote recommend to the Legislature:

1. The adoption of the following amendment to Rule 13, Sec. 8: (a) After the last word "Review", strike the period and add the following: "Provided, that the amendments so recommended shall not be read by the clerk except upon the request of a member of the Legislature.

2. That no change be made in the present practice of showing sections of the statutes entirely repealed by number only.

(Signed) Sorrell, Chairman.

Mr. Sorrell moved that the report be adopted.

The motion prevailed with 36 ayes, no nays, 7 not voting.

MOTION—Appreciation to Omaha Chamber of Commerce

Mr. President: I move that the Legislature of Nebraska express its appreciation to the Omaha Chamber of Commerce and to the other hosts of the Legislature for the splendid entertainment furnished on the evening of Thursday, March 18, 1943.

That our sincere thanks for this evening of fellowship be expressed by the Clerk of the Legislature.

(Signed) Sorrell, Chairman.

The motion prevailed.

STATEMENTS—Committee on Judiciary

Mr. President: At its regular meeting on March 19, 1943, the Judiciary Committee, by a majority vote of its members, voted to introduce a bill to amend Section 26-751, C. S. Supp., 1941, relating to county government and officers; to provide for the licensing of private clubs outside the limits of incorporated cities or villages; to require each roadhouse, dance hall or amusement park to have on duty at all times while open and conducting business a uniformed policeman approved by the county board; to prescribe opening and closing hours; and to provide penalties for violation.

(Signed) Gantz, Chairman.

Mr. President: At its regular meeting on March 19, 1943, the Judiciary Committee, by a majority vote of its members, voted to introduce a bill to repeal Sections 27-231 to 27-237, C. S. Supp., 1941, relating to promulgation by the supreme court of the rules of practice and procedure.

(Signed) Gantz, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 426. Judiciary Committee, by request
Harry E. Gantz of Box Butte, chairman.

A bill for an act to amend section 26-751, C. S. Supp., 1941, relating to county government and officers; to define terms, "road house", "dance hall" and "amusement park"; to provide that no private club outside the limits of any incorporated city or village shall be conducted or operated without a license so to do having been first obtained from the county board; to require each road house, dance hall or amusement park to have on duty at all times while open and conducting business a uniformed policeman approved by the county board; to prescribe opening and closing hours; to provide for revocation of licenses by the county board; to provide penalties for the violation thereof; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 427. Judiciary Committee,
Harry E. Gantz of Box Butte, chairman.

A bill for an act to repeal sections 27-231 to 27-237, C. S. Supp., 1941, relating to promulgation by the Supreme Court of general rules of practice and procedure.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 154.

A bill for an act to amend section 77-1803, Compiled Statutes of Nebraska, 1929, relating to certificates by the proper authorities of municipal corporations, townships and districts, which are authorized to assess taxes for municipal and school purposes, to the county clerk of the amounts required to be raised by taxation; providing that such certificates shall be so made on or before July 15 of each year; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Jeffords
Jeppesen
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting. 5:

Crosby
Heiliger
Hubka
Klaver
Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for Journal

Mr. President: Had I been in the room, I would have voted for L. B. 154.

(Signed) Heiliger.

LEGISLATIVE BILL 116.

A bill for an act to repeal Sections 74-910 and 74-911, Compiled Statutes of Nebraska, 1929, and relating to the employment of railroad telegraphers between the hours of Seven o'clock P. M. and Seven o'clock A. M.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Crosby
Garber
Hubka
Klaver
Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 31. With emergency clause.

A bill for an act to amend section 77-1906, Compiled Statutes of Nebraska, 1929, relating to revenue; eliminating, in counties with a population of two hundred thousand inhabitants or more, which have adopted the unit tax ledger, as provided by Section 2, legislative bill 32, fifty-sixth session of the Nebraska State Legislature, the requirement that original and duplicate tax receipts shall be firmly bound in book form; eliminating any requirement for a triplicate receipt, permitting tax receipts to be pre-written and requiring the cost, of so preparing the said tax receipts, to be paid for by the county board, out of the county general fund, in such counties which have so adopted such unit tax ledger; to repeal said original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 2: Carmody, Osborne.

Not voting, 3:

Crosby
Hubka
Mekota

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 102. E and R amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 97. Mr. Greenamyre moved that his amendments, found in the Legislative Journal for the Forty-second Day, be adopted.

The motion was lost with 5 ayes, 22 nays, 16 not voting.

Mr. Peterson offered the following amendments, which were adopted:

Amend the Committee amendment to L. B. 97, Section 1 by striking lines 3 to 13 both inclusive.

Amend the Committee amendments to L. B. 97, Section 2 lines 41 and 42 by striking the words "or future" and the words "as the Legislature shall direct and determine".

Mr. Matzke offered the following amendment, which was adopted:

Amend Committee amendment to L. B. 97, Sec. 1, line 29, after the word and punctuation "sale." by adding "When the sale of any Nebraska municipal bonds is contemplated, the Board shall give notice of said proposed sale to said municipality at least thirty days prior thereto."

Mr. Garber offered the following amendment, which was adopted:

Amend Committee Amendment to L. B. 97, Sec. 1, line 16 by reinserting the word "now" between the words "bonds" and "held".

Referred to E and R for review.

MOTION—To Advance L. B. 215

Mr. President: I move that L. B. 215 be advanced to the top of General File and considered at this time.

(Signed) Thompson

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 215. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend page 2, Section 1, line 17 by inserting after the word and punctuation "company," the words "on or before April 15, 1943 and", and in line 18 by inserting after the word "year" the word "thereafter".

2. Amend page 3, Section 2, line 23 by inserting after the word and punctuation "company," the words "on or before April 15, 1943 and", and in line 24 by inserting after the word "year" the word "thereafter".

Referred to E and R for review.

LEGISLATIVE BILL 106. Mr. Greenamyre presented the following opinion from the Attorney General and asked that it be printed in the Journal:

March 8, 1943.

Hon. H. G. Greenamyre
State Senator
Senate Chamber
Building

Dear Sir:

Re: Constitution, Article III, Section 19 — L. B. 106 — Increasing and diminishing salaries during term.

Reference is made to your communication of February 25th, last past, to which you attach a copy of L. B. 106, and in which you ask the opinion of this office as to whether the legislature has the power to increase or diminish the salaries of the Director of Health and the Director of Agriculture and Inspection by an act which will take effect during the term for which those officers were appointed and which they are now serving. You also ask that we cover the question whether the salaries of any appointed or elected official, state or county, may be increased or diminished during the term for which the officer is elected or appointed.

The answer depends upon a proper construction of Section 19, Article III of the Constitution of Nebraska. This section, prior to its amendment in 1920, appeared in the Constitution of 1875 in the following language:

> "The Legislature shall never grant any extra compensation to any public officer, agent, servant, or contractor, after the services shall have been rendered, or the contract entered into. Nor shall

> the compensation of any public officer be increased or diminished during his term of office."

The last sentence of this constitutional provision was held by the Supreme Court to apply only to officers "created by the constitution". Douglas County v. Timme, 32 Neb. 272, 49 N. W. 266; State v. Vincent, 46 Neb. 408, 65 N. W. 50; State v. Stewart, 52 Neb. 243, 71 N. W. 998; State v. Plasters, 74 Neb. 652, 104 N. W. 1150; State v. Houston, 94 Neb. 445, 143 N. W. 796; State v. Moores, 61 Neb. 9, 84 N. W. 399.

These cases also held that in the absence of any constitutional prohibition, the legislature may change the compensation of any officer, and that such change will apply as well to officers in office at the time of the passage of act changing the compensation, as to those thereafter elected. Accordingly, it was consistently held, under the Constitution of 1875, that the compensation of officers whose offices were created by the constitution could not be increased or diminished during their terms of office, but that the compensation of county officers, and other officers not of constitutional creation, might lawfully be changed during their terms.

The above-quoted constitutional provision was amended in 1920 to read as follows (Constitution of Nebraska, Art. III, Sec. 19):

> "The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into nor shall the compensation of any public officer, **including any officer whose compensation is fixed by the Legislature subsequent to the adoption hereof** be increased or diminished during his term of office."

Taken by itself, this constitutional provision appears to be clear and unambiguous and to mean exactly what it says, so that there is no room for construction. It is thought by some, however, that because the Supreme Court held that the words "public officer" in the Constitution of 1875 meant "public officer created by the constitution", it must now be construed to mean the same thing, and that the word "officer" in the added language of the new constitutional provision, underscored above, must also be construed as meaning only constitutional officers. If it may be said that there is any ambiguity in the present constitutional provision, it is a latent, induced ambiguity, brought about by the construction placed by the court on the language of the Constitution of 1875.

It is a cardinal rule of construction that every clause, word, and phrase in an act or constitutional provision should be given some meaning, and that the constitution must be construed, if possible, so as to give force and effect to each provision (State v. McConnel, 8 Neb. 28; Luikart v. Higgins, 130 Neb. 395, 264 N. W. 903); that the constitution must receive a liberal and general, rather than a strict, construction, in order to accomplish the true will of the people as expressed therein (State v. Neble, 82 Neb. 267, 117 N. W. 723); that the terms of the constitution should be construed according to their plain and ordinary meaning unless it is evident that they are used in another sense (Hamilton Nat. Bank v. American Loan & Trust Co., 66 Neb. 67, 92 N. W. 189; State v. Lincoln Traction Co., 90 Neb. 535, 134 N. W. 278); that courts may not add words to the constitutional provision which substantially change the provision as framed (Elmen v. State Board of Equalization and Assessment, 120 Neb. 141, 231 N. W. 772).

It is also a well-established rule of construction that the framers of the constitution, and the people who enacted it, are presumed to have known the construction previously placed upon the earlier constitution, and are presumed to have intended, by amending it and adding new language, to effect some change in its meaning.

If it was the intent of the framers of the present constitution, and of the people in adopting it, to continue the prohibition against increasing or diminishing the compensation, during the term, of constitutional officers only, it was wholly unnecessary to amend the section as it stood in the Constitution of 1875. To construe the words "including any officer whose compensation is fixed by the legislature subsequent to the adoption hereof" inserted in our present constitution by the amendment of 1920, as meaning constitutional officers only, is to hold that these new added words have no meaning whatever, and their addition to the constitution effected no change in it. Such a construction is untenable. The only other possible construction is that Section 19, Article III, of the present constitution operates to prohibit increasing or diminishing the compensation, during his term, of any officer holding a constitutional office, or of any other officer, whose compensation is fixed either by the constitution or by the legislature.

Furthermore, if it may properly be said that the language of the constitutional provision under consideration is ambiguous, resort may be had to the proceedings of the constitutional convention which framed the document, as an aid to construction. In this instance, reference to the Proceedings of the Constitutional Convention of 1920 demonstrates beyond question that the intention of that assembly was to accomplish exactly what we have said the language does accomplish. A careful reading of the constitutional debates in connection with this change in the language of the constitution, and other related matters, clearly indicates that it was the intention of the convention to extend the constitutional prohibition against increasing and diminishing compensation during the terms of officers, and to include in the prohibition not only constitutional officers, but all other officers whose salary should be thereafter fixed by the legislature. **Proceedings of Constitutional Convention,** pp. 131, 684, 970, 979, 1254, 1482, 1569, 2184, 2198, 2568, 2593, 2685, 2823; see also the "Address to the People", Idem. p. 2842.

A few quotations will illustrate this. In the first discussion of the proposed amendment Mr. Byrum said (**Proceedings, Constitutional Convention,** p. 970):

> "In drawing this proposal it is proposed to make that same provision extend a little further than our courts have decided it extended and I see in that and this provision the same provision that is in the Constitution now, 'the same provision shall apply to all public officers including an officer whose compensation is fixed by the legislature.' In other words, it applies it to the county officers. . . ."

Mr. Ross said (Idem.):

> "The reason why this (new language) was added was because the Supreme Court of our state had construed that provision of the Constitution as it now exists to apply only to those officers whose offices were created by the constitution itself, and they also held that it did not apply to the officers created by the legislature. It was thought by the proposer of the bill that this constitutional provision should be extended to include all officers created by the legislature. . . ."

> "Speaking for myself, at least, I consider that the Supreme Court of the State, having construed what was meant by 'public officers' in that provision as it existed, would adhere to that as applying to a constitutional office, and we then thought it was advisable to extend the provision, as the language here is, 'all public officers including those whose compensation is fixed by the legislature.' And the 'all public officers' clause, referring to the Constitutional officers, as heretofore construed by the Supreme Court, then we add another clause, those whose compensation is fixed by the legislature. That was the idea I, as a member of the committee, had in mind, and the reason we had for that was to prevent lobbying of county officers, in particular, and other officers. . . ."

At another time Mr. Ross (p. 1482) said:

> "It was intended when we passed Proposal No. 71 to reach constitutional officers and officers created by the legislature, as you will probably remember. . . ."

Later (p. 2198), Mr. Norton said:

> "There is a very material change, and the latter part applies to an officer whose office is created by law or by the Legislature, whereas the old provision simply applied to offices contained in the Constitution."

And Mr. Byrum reiterated his former statements (p. 1482). Many statements of similar import may be found in the published report of the proceedings of the convention, at the pages indicated on a former page of this opinion. They all tend to demonstrate that the entire convention understood the purpose of the amendment to be as we have herein indicated.

Since the adoption of this constitution it has not been construed by the Supreme Court of this state. It was said, however, in State ex rel. Randall v. Hall, 125 Neb. 236, 249 N. W. 756, that the constitutional prohibition contained in Section 16, Article III of the 1875 Constitution "was amended **and broadened**" by the Constitution of 1920. In Mehrens v. Bauman, 120 Neb. 110, 231 N. W. 701, the court was confronted with the argument that the statute permitting the county treasurer to keep the money collected as automobile drivers' license fees increased his compensation during his term in violation of Section 19, Article III of the Constitution. The court did not decide the question one way or the other, but did devote considerable time and space to deciding that the act did not increase the salary of the county treasurer.

In view of these various rules of construction, the considerations apparently moving the framers of the constitution, and the reference in State ex rel. Randall v. Hall, supra, to the "broadening" of the constitutional section under consideration, we are of the opinion that Section 19, Article III, of the Constitution prohibits an increase or diminution of compensation, during the term, of any constitutional officer, as well as of any non-constitutional officer whose salary is fixed by the legislature. This would include any county officer whose salary is fixed by the legislature. It was pointed out, however, in the constitutional debates that it was not intended that the provision should be construed to cover anything "except that which the legislaure terms as a compensation **fixed** by the legislature" (**Proceedings of Constitutional Convention,** p. 979).

The Director of Health and the Director of Agriculture and Inspection are not constitutional officers. Clark v. Lincoln Liberty Life

Ins. Co., 139 Neb. 65, 296 N. W. 449. As to them, therefore, it is necessary to determine whether their salaries have been fixed by the legislature since the adoption of the constitution.

The verb "to fix" means to decide definitely, to determine, to direct without variation, to establish invariably, to settle. 26 C. J. 647. A leading case is Cricket v. Ohio, 18 Ohio St. 9. There the constitution provided that the general assembly should "fix the term of office and the compensation of all officers". It was held that this language did not require the assembly to fix the sum or amount which each officer should receive, but did require it to fix a rule by which such compensation could be to a certainty determined. Numerous cases hold that a compensation to be fixed by law must be fixed by an amount named in the statute. Hedrick v. U. S., 16 Ct. Cl. 88; Flagg v. Columbia County, 51 Ore. 172, 94 Pac. 184. To fix implies "the establishment of a definite rate of pay". Morse v. Delaney, 128 Misc. Rep. 317, 218 N. Y. S. 571. Other cases defining "fix" are: Rackliff v. Peters, 136 Mo. A. 168, 115 S. W. 503; Bunn v. Kingsbury, 3 So. Dak. 87, 52 N. W. 673; Gist v. Rackliffe-Gibson Constr. Co., 224 Mo. 369, 123 S. W. 921; Durnford v. Patterson, 7 Mart. 460, 12 Am. D. 514; Culberson v. Watkins, 456 Ga. 185, 119 S. E. 319; In Re McLure's Estate, 68 Mont. 556, 220 Pac. 527; McCarthy v. City of Malden, 303 Mass. 563, 22 N. E. (2d) 104; Bouvier's Law Dictionary.

In McCarthy v. Malden, supra, the statute required the city budget to include sums sufficient to pay the salaries of officials "fixed by law or by ordinance". The plaintiff was employed by the board of park commissioners, but her salary was not fixed except by the park commissioners, which did have authority to fix the compensation of its employees. The court said that this would not amount to fixing the salary by law or by ordinance. Of the ordinance authorizing the park board to fix the compensation, the court said:

> "Obviously the statute does not name the amount of salary to be paid, nor does it in any way settle or determine the compensation of such persons. At most it would seem to delegate to the board the power to fix the compensation."

Nowhere does the constitution require that the salaries of the heads of the civil administrative departments be fixed by law, and the legislature has never seen fit to fix them. The only statute with reference to the compensation of these officials is Section 81-103, Comp. St. Supp. 1941, which delegates to the governor the power to establish the salaries of all persons connected with the various departments and of the heads thereof, subject to maximum limitations with reference to the director of the department of agriculture, the commissioner of labor, the director of health, the state engineer and the director of insurance. There are also certain county officers whose salaries are not fixed by the legislature, the salaries being left to be fixed by the county boards within certain limits.

Obviously in view of the authorities mentioned above the Director of Health and the Director of Agriculture and Inspection are not officers whose compensation is fixed by the legislature and therefore as to them it is our opinion that the legislature has the power to pass an act which will result in the possible increase or diminution of the salaries of these officers, and that such act may be made effective at any time, whether during the term of such officers or not.

It appears that these offcers do hold for terms within the meaning of the constitution. Comp. St. 1929, Section 81-111, provides that each secretary (and by subsequent legislation this applies to each director) shall hold office for a term of two years from the first Thursday after the first Monday in January next after the election of the governor. The power of removal, which lies in the governor, does not alter this situation.

In view of these conclusions it follows that the proposed amendment to provide that the act shall continue in force until March, 1945, when the present law shall again be in effect, would also be valid so far as any constitutional limitation is concerned. It occurs to us however that there are objections to the phraseology of the amendment.

You also have handed us a copy of certain other proposed amendments. The original bill seeks to amend only Section 81-103, Comp. St. Supp. 1941; by the amendment it is proposed to amend the title and the bill, so that the act will amend Section 68-3118, Comp. St. Supp. 1941 also, and will affect the salary of the Director of Assistance. We are of the opinion that if the legislature sees fit to do so, it may amend the title and include in the act the substance of this proposed amendment, without doing violence to any constitutional provision.

Respectfully submitted,
WALTER R. JOHNSON
Attorney General

(Signed) Rush C. Clarke
Assistant Attorney General

RCC:ddg

By unanimous consent Mr. Mueller withdrew his amendment, found in the Legislative Journal for the Thirty-seventh Day.

Mr. Conklin offered the following amendment, which was adopted:

Amend Sec. 1, page 2, line 13 of the printed bill by striking therefrom the words "forty-five hundred" and inserting in lieu thereof the words "four thousand".

Laid over.

Approved by the Governor

March 22, 1943.

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day signed the following bills, viz:

L. B. 162 L. B. 55 L. B. 389

Respectfully submitted,
(Signed) Robert M. Armstrong.
Secretary to the Governor.

MESSAGE FROM THE GOVERNOR

Address of Anthony Eden

March 22, 1943.

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to transmit to your honorable body for your information the message from the Honorable Herbert R. O'Conor, President of the Council of State Governments, relative to the address of Mr. Anthony Eden, British Secretary of Foreign Affairs, to all State Legislatures on Friday, March 26th at 9:00 P. M.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

Adjournment

At 12:06 p. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 23, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifty-second Day was approved.

Communications

Letters were read from Congressmen Karl Stefan, Carl T. Curtis and A. L. Miller acknowledging receipt of Legislative Resolution 11.

PETITIONS AND MEMORIALS

Mr. Craven, as Chairman of the Committee on Labor and Public Welfare, introduced four petitions favoring L. B. 263.

NOTICE OF COMMITTEE HEARINGS

Government

Legislative Resolution 13, Wednesday, March 31, 1943, 2:00 p.m.

Public Works

L. B. 397, Wednesday, March 31, 1943, 2:00 p.m.

Appropriations

L. B. 423, March 29, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Government

LEGISLATIVE BILL 6. Placed on General File with amendments.

Standing Committee amendments to L. B. 6:

1. Amend page 2 of the bill by striking everything after the enacting clause, and substituting in lieu thereof the following:

"Section 1. As used in this act, (1) the term "county officer" shall mean clerks of the district court and county judges; (2) the term "county board" shall include county commissioners or county supervisors as the case may be; and (3) the term "trust funds" shall include all moneys other than fees which are paid to or come into the hands of such officers."

"Sec. 2. All trust funds paid to or coming into the hands of any such county officer shall be deposited within three days after the receipt of any such funds, in a depository designated in the manner hereinafter set out; Provided, however, that where the designated depository is not located at the county seat of such county officer's county, then such county officer shall have thirty days in which to deposit such funds."

"Sec. 3. Depository banks shall be such banks as shall be designated by the county officer, subject to the approval of the county board. The designation of depository bank or banks by the county officer shall be in writing, signed by such county officer and duly filed with the county board; and the approval of the county board, shall be by formal resolution duly recorded in the minutes of the proceedings of the board. The designation of depository bank may be withdrawn at any time by the county officer, by written notice signed by such officer and duly filed with the county. board."

"Sec. 4. No county officer as defined in this act shall be liable personally or on his bond for money deposited in a duly designated depository bank in conformity with the foregoing sections of this act, if the following conditions have been met:

(1) Such county officer shall require of and receive from such depository bank as security for the prompt repayment of deposits in

excess of the amount insured by the Federal Deposit Insurance Corporation, either a surety bond in form and with corporate sureties approved by formal resolution of the county board, or, in lieu thereof, a pledge of (a) bonds, notes, certificates of indebtedness and treasury bills of the United States government of any issue; (b) obligations fully and unconditionally guaranteed both as to principal and interest by the United States; (c) bonds of any county, city, village, or school district of this state which have been issued and registered as required by law; or (d) registered warrants of any county, city, or school district of this state;

(2) Such county officer shall at all times keep and certify to the county board a complete and correct list and description of the securities pledged by any depository bank; and

(3) The deposits secured by a surety bond shall at no time exceed the amount of the penal sum of such surety bond, and deposits secured by pledge of securities shall at no time exceed the market value of the securities thus pledged."

"Sec. 5. Every depository bank is authorized to secure deposits by pledge of the assets of the bank or by furnishing surety bond, and otherwise to enter into and become a party to any contract or arrangement, not inconsistent with the provisions thereof, as may be reasonably necessary or proper to render fully effective the provisions of this act. The depository bank pledging bonds or securities under this act shall have the right to substitute therefor from time to time other and different bonds and securities of equal value, within the foregoing requirements, and to withdraw all, or any part of, such pledged bonds or securities upon repayment to the public corporation and reduction of its deposit account in the amount of the value of the bonds or securities so withdrawn. Each depository bank shall furnish directly to the county board a sworn monthly statement of the funds of the public corporation on deposit in such depository."

2. Amend page 1 of the bill by striking all of the title, and substituting the following title in lieu thereof:

"A BILL FOR AN ACT relating to deposit of trust funds coming into the hands of clerks of the district court and county judges; to define terms; to require such officers to deposit trust funds within a specified time in bank or banks designated as depositories; to require deposits so made to be secured by either depository bonds or pledge of securities; to regulate the manner and method of making deposits and handling of securities; and to relieve such officer from liability when deposits are made in accordance with the provisions of this act."

LEGISLATIVE BILL 327. Placed on General File with amendments.

Standing Committee amendments to L. B. 327:

1. Amend the bill by striking sections 1, 2, 3, 4 and 5, and inserting the following in lieu thereof:

"Section 1. That section 35-201, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

35-201. All metropolitan cities and cities of the first class having a paid fire department, except any city of the first class that has heretofore adopted **or may hereafter adopt** a charter for its own government **as provided in Article XI of the Constitution of Nebraska,** shall pension all firemen of the paid fire department, whenever such firemen shall have first served in such fire department for the period of twenty-one years, and shall elect to retire from active service and go upon the retired list. Such pension shall be paid by the city in the same manner as firemen upon the active list are paid, and such pension shall be at least fifty per cent of the amount of salary such retiring fireman shall be receiving at the time he goes upon such pension list~~.~~ ; Provided, in no case shall the amount of such pension be less than fifty dollars per month. At the death of any such retired fireman, the same rate of pension as herein provided for shall be paid to the widow of such deceased fireman during such time as she shall remain the widow of such deceased fireman, and in case there be no widow, then the minor children, if any, of such deceased fireman, shall be paid such pension during their minority, to the age of eighteen years~~.~~ ; Provided, however, as soon as a child of such deceased fireman shall become eighteen years of age, such pension as to such child shall cease.

Sec. 2. That section 35-202, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

35-202. In case of the death while in the line of duty of any fireman in a paid fire department in any city of the metropolitan or first class, except any city of the first class there has heretofore adopted **or may hereafter adopt** a charter for its own government **as provided in Article XI of the Constitution of Nebraska,** or in case death is caused by or is the result of injuries received while in the line of duty, then the same rate of pension as herein provided for in the next preceding section shall be paid to the widow or minor children of such deceased fireman, as provided in such section.

Sec. 3. That section 35-203, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

35-203. In case any fireman in a paid fire department in any metropolitan city, or city of the first class, except any city of the first class that has heretofore adopted **or may hereafter adopt a charter for its own government as provided in Article XI of the Constitution of Nebraska,** shall become permanently and totally disabled from accident or other cause, while in the line of his duty, such fireman shall forthwith be placed upon the roll of pensioned firemen, at the rate as provided for retired firemen in the second preceding section~~.~~ ; Provided, the provisions of this ~~article~~ **act** shall apply to all paid firemen now on the retired list, and to the widows and minor children of any deceased fireman who was on the retired list, under the provisions of this ~~article~~ **act** at the time of his death, and such widow and minor children shall receive such pension as is provided for in this ~~article~~ **act**; in case of partial disability of a fireman received while in the line of duty, he shall receive his salary during the continuance of such disability for a period not to exceed twelve months; Provided, further, if it shall be ascertained by the board of fire and police commissioners or other proper municipal authorities within twelve months that such disability has become permanent, then his salary shall cease, and he shall be entitled to the benefits of the provisions with reference to pensions referred to in this ~~article~~ **act**. Nothing in this act shall in any manner affect the right of any person now receiving or entitled to receive the pension provided in sections 2439, 2440 and 2441 of the Compiled Statutes of Nebraska for 1922, nor shall this act in any manner affect the right of any fireman now in the service of any city, included within the provisions of said ~~section~~ **sections, who is now eligible to elect to retire and receive a pension as provided in said sections,** or the widow or children of any such fireman, to receive a pension in all respects the same as if said original sections remained in full force and effect.

Sec. 4. **Subject to the provisions of section 5 of this act, every city of the first class which has heretofore adopted, or which may hereafter adopt, a charter for its own government as provided in Article XI of the Constitution of Nebraska, shall be authorized to provide by its charter and establish pensions or a retirement system or systems for its municipal employees, including the members of its police and fire departments; Provided, however, a minimum requirement in favor of the members of such fire department shall consist of provisions identical with all of those contained in section 5 of this act and no other or different provisions; except solely that, at the option of any such city, more liberal provisions for such firemen may be contained, but it may not provide less in any respect. The state firemen's pension law, as set forth in sections 4 and 5 of this act, shall at all times continue in force in every city of the first class which has adopted or may hereafter adopt a charter for its own government. It shall not cease to so continue when any charter provision** is enacted or thereafter. If and when any such city adopts a charter provision meeting the foregoing minimum requirement, such provision shall be recognized so long and only so long as it continues to meet said minimum requirement. If such city fails to adopt a charter provision meeting such minimum requirement or having adopted it shall terminate it or amend or change it so as to render it below such minimum in any particular, then and in any such event every fireman now in the employ of such city or hereafter employed shall continue in exactly the same position under the state firemen's pension law as if no charter provision had been enacted.

Sec. 5. Every city of the first class which has adopted, or which may hereafter adopt, a charter for its own government as provided in Article XI of the Constitution of Nebraska, and which has a paid fire department shall pension all firemen of the paid fire department as follows:

(1) Every such city shall pension all such firemen whenever such firemen shall have first served in the paid fire department for a period of twenty-one years and shall elect to retire from active service and go upon the retired list; Provided, however, no person hereafter entering the employment of any such city as a member of its paid fire department, except former members of such department now in military service, shall be entitled to retire or elect to retire or go upon the retired list until, after the completion of said twenty-one years of service, he shall be fifty-five years of age. Such pension shall be paid by the city in the same manner as firemen upon the active list are paid, and such pension shall be at least fifty per cent of the amount of salary such retiring fireman shall be receiving at the time he goes upon such pension list; Provided, in no case shall the amount of such pension be less than fifty dollars per month.

(2) If, at the death of any such retired fireman, he shall leave surviving him a widow to whom he was legally married prior to his retirement, the same rate of pension as herein provided for shall be paid to such widow of such deceased fireman, and in case there shall be no such widow but such deceased fireman shall leave surviving him children of a marriage occurring prior to his retirement who shall be less than eighteen years of age, then such children of such deceased fireman shall be paid such pension to the age of eighteen years; Provided, however, as soon as a child of such deceased fireman shall become eighteen years of age such pension as to such child shall cease.

(3) When any such fireman shall be eligible to retire, regardless of whether he may actually elect to do so, the pension provided in subdivisions (1) and (2) of this section shall in any event be payable upon his death from any cause, or upon any other termination of his

service as a member of said department, whether by reason of resignation, discharge or otherwise.

(4) If any fireman hereafter entering the employment of any such city as a member of its paid fire department, who is not a former member of said department now in military service, shall die other than in line of duty after becoming fifty years of age and before age fifty-five, and after serving in the paid fire department of such city for at least twenty-one years, then a pension of at least twenty-five per cent of the amount of salary such fireman shall be receiving at the time of his death shall be paid to the widow or minor children of such deceased fireman as provided in subdivision (2) of this section.

(5) In case of the death, while in the line of duty, of any such fireman or in case death is caused by or is the result of injuries received while in line of duty, then the same pension as provided in subdivision (2) of this section shall be paid to the widow or minor children of such deceased fireman, as provided in such section, subject, however, to deduction of amounts paid under the Workmen's Compensation Act on account of such death, as hereinafter provided.

(6) In case any such fireman shall become permanently and totally disabled from accident or other cause, while in the line of his duty, such fireman shall forthwith be placed upon the roll of pensioned firemen, at the rate as provided for retired firemen in subdivisions (1) and (2) of this section. In case of temporary total disability of a fireman received while in line of duty, he shall receive his salary during the continuance of such disability for a period not to exceed twelve months; Provided, if it shall be ascertained by the city council or other proper municipal authorities within twelve months that such disability has become permanent, then his salary shall cease, and he shall be entitled to the benefits of the foregoing provisions with reference to pensions in case of total and permanent disability. All payments of pension or salary provided by this subsection shall be subject to deduction of amounts paid under the Workmen's Compensation Act as hereinafter provided.

(7) From and after the passage of this act, every such fireman may be required by the city to contribute to the city an amount equal to not more than three per cent of his salary until such fireman shall be entitled to retire, or otherwise become eligible for a pension under the provisions of this section, which amount may be deducted from the salary of every such fireman. No fireman continuing in the employment of the city as a member of such department after becoming eligible to retire shall be required to make any further contribution. Any fireman whose employment shall terminate, whether by discharge

or otherwise, prior to the time he shall become entitled to a pension, and who shall have made contributions from his salary as hereinbefore provided for a period of at least three years shall, upon demand, be reimbursed by the city for the amount of such contributions without interest.

(8) Notwithstanding any prior provisions of this section, no fireman shall be entitled during any period of disability to receive in full both pension or his salary as herein provided and in addition benefits under the Workmen's Compensation Act. All Workmen's Compensation Act benefits shall be payable in full to such fireman or his dependents as provided in said act, but all amounts paid by the city or its insurer under said act to any disabled fireman entitled to receive a salary or pension during such disability, or to the widow or children of any deceased fireman, shall be considered as payments on account of such salary or pension and shall be credited thereon. The remaining balance of such pension or salary, if any, shall be payable as otherwise provided in this section.

(9) This section, as well as other portions of this act, shall apply to officers of paid fire departments as well as to regularly employed firemen.

Sec. 6. That the original sections 35-201, 35-202, and 35-203, Compiled Statutes of Nebraska, 1929, are repealed.

Sec. 7. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the title to the bill, lines 2 to 13, by striking all of the same after the word "act" and inserting the following in lieu thereof: "relating to pensions for firemen; authorizing every city of the first class which has adopted, or which may hereafter adopt, a charter for its own government as provided by Article XI of the Constitution of Nebraska, to provide by charter and establish pensions or a retirement system or systems for its municipal employees, subject to statutory minimum standards as to firemen and other provisions and conditions relating thereto; to amend sections 35-201, 35-202, and 35-203, Compiled Statutes of Nebraska, 1929; to repeal the original sections; and to declare an emergency."

(Signed) Doyle, Chairman

Education.

LEGISLATIVE BILL 353. Placed on General File.

LEGISLATIVE BILL 336. Placed on General File with amendments.

1. Amend page 2 of the bill by striking all of section 1, and inserting the following in lieu thereof:

"Section 1. As used in this act: (1) The term "private business school" shall mean and include a school or college, not supported by moneys raised by taxation, which gives instruction primarily in commercial subjects, such as typewriting, shorthand, bookkeeping, commercial law, business English, penmanship, salesmanship and allied subjects, except schools operated as a part of a university or college conferring degrees after completion of a four-year course of study;

(2) The term "private trade school" shall mean and include a school or college, not supported by moneys raised by taxation, devoted to the teaching of or offering to teach, or giving instruction in the theory and practice of any trade or trades, or in any pursuit requiring manual or mechanical training or dexterity, as distinguished from one teaching classical or cultural subjects, or preparing students for office work or for the learned professions;

(3) The term "private correspondence school" shall mean and include any school, business school, college, academy, university or other institution, not supported by moneys raised by taxation, that teaches or undertakes to teach students, or renders any educational services or undertakes to prepare such students to study, or furnishes or undertakes to furnish to any person, a course of study through the use of the United States mail, express, or common carrier, or by any means of communication other than resident instruction; and

(4) The term "solicitor" or "representative" shall mean and include any person who sells, undertakes to sell, or offers to sell scholarships, courses of instruction or instruction materials, or who solicits students or pupils for schools, by calling upon them in their homes or places of business, or at any place not on the premises of the school itself, but shall not include the president, secretary or other executive officer of a school who may incidentally solicit students or pupils in connection with his other duties."

2. Amend page 2 of the bill, section 2, line 2, by inserting after the word "maintain" the following: "a "private business school,"."

3. Amend page 2 of the bill, section 2, line 4, by inserting after the word "private" the following: "business,".

4. Amend page 2 of the bill, by striking all of section 3.

5. Amend page 3 of the bill, by striking the section number "4" and inserting in lieu thereof the figure "3".

6. Amend page 3 of the bill, present section 4, line 3, by inserting after the word "private" the following: "business schools,".

7. Amend page 3 of the bill, present section 4, line 5, by inserting after the word "private" the following: "business,".

8. Amend page 3 of the bill, by striking the present section number 5, and inserting in lieu thereof the figure "4".

9. Amend page 3 of the bill, present section 5, lines 1 and 2, by striking the following: ", solicitor, or his personal representative".

10. Amend page 4 of the bill, present section 5, by inserting after the punctuation, following the word "license" the following: "Each solicitor or representative of such school shall pay a license fee to the Superintendent of Public Instruction in the sum of ten dollars for the original license, and five dollars per year thereafter for each annual renewal of such license."

11. Amend page 4 of the bill by striking all of section 6.

12. Amend page 4 of the bill, by inserting two new paragraphs, numbered "5" and "6", reading as follows:

"Sec. 5. There is hereby created a board to be known as the Board of Private Business, Trade and Correspondence Schools. The board shall consist of five members, of which the Superintendent of Public Instruction and the Director of the Extension Division, University of Nebraska, shall be ex-officio members, and the three remaining members shall be appointed by the Governor, one member each to be appointed as a representative respectively of private business schools, private trade schools and private correspondence schools. The three appointive members of the board shall serve as follows: one member of the board shall be appointed to serve until June 30, 1944, one member shall be appointed to serve until June 30, 1945, and one member shall be appointed to serve until June 30, 1946, and as the terms of such appointive members of the board expire, their successors shall be appointed by the Governor for a term of three years, and until their successors are appointed and qualified. In case of a vacancy in the office of an appointive member of the board, the Governor shall fill vacancy by appointment for the unexpired term. The appointive members of the board shall receive the sum of $...... per day and necessary traveling expenses while engaged in the performance of their duties."

"Sec. 6. It shall be the duty of the Board of Private Business, Trade and Correspondence Schools to formulate standards to be met for the licensing of schools subject to this act, to determine or approve the courses of education to be given in such schools, to prescribe regulations for proper advertising, to fix the causes for and procedure to be followed in suspending and cancelling licenses, and to outline the policies which shall govern the administration of this act not specifically provided for herein."

13. Amend page 4 of the bill, section 7, lines 16 to 20, by striking all of the same and inserting in lieu thereof: "may be permitted to state in their advertising that they are licensed by the Superintendent of Public Instruction, but such advertising shall not state or imply that they are "approved", "endorsed", "recommended", or "supervised", by that office. A private".

14. Amend page 5 of the bill, section 7, by striking all of lines 32 to 55, inclusive, and the words "or association" in line 56 and inserting the following in lieu thereof: "advertisements; (4) That additional rules and regulations governing advertising by schools licensed under this act may be prescribed by the Board of Private Business, Trade and Correspondence Schools."

15. Amend page 6 of the bill by striking all of section 8.

16. Amend page 6 of the bill by adding a new section, numbered "8", reading as follows:

"Sec. 8. The power to grant, suspend and revoke licenses under this act, and to inspect schools licensed hereunder, shall be vested in the Superintendent of Public Instruction, to be exercised as provided in this act and in accordance with policies formulated by the Board of Private Business, Trade and Correspondence Schools."

17. Amend page 6 of the bill, section 10, lines 3 and 4, by striking the same and inserting the following in lieu thereof: "private business, trade or correspondence schools, or solicitors or representatives of a private business, trade or".

18. Amend page 6 of the bill, section 10, by striking line 7, and inserting in lieu thereof the following: "business, trade and correspondence school fund, which"

19. Amend page 6 of the bill by striking all of section 11, and inserting the following in lieu thereof:

"Sec. 11. That schools subject to the terms of this act now operating under charters, licenses or permits secured from the State of Nebraska or the United States government shall be allowed to continue to operate in this state under such charters, licenses or permits until June 30, 1944, by which time they shall be required to secure licenses under this act."

20. Amend page 6 of the bill, by adding a new section numbered "13" and reading as follows:

"Sec. 13. Any person, firm, partnership or association that violates the provisions of section 2 of this act, or any solicitor or representative of any school licensed under this act that violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than ten nor more than one hundred dollars, or be imprisoned in the county jail not less than ten days nor more than thirty days, or may be punished by both fine and imprisonment within the limits above set forth."

21. Amend the title, line 3, by inserting after the word "private" the following: "business,".

22. Amend the title, lines 7 and 8, by striking the words: "to provide qualifications for teachers;".

23. Amend the title, by striking all of lines 11 to 18, and substituting the following in lieu thereof: "to create the Board of Private Business, Trade and Correspondence Schools, and to prescribe the powers and duties thereof; to provide for regulation of advertisements and tuition fees; to provide that license fees arising under this act shall be credited to a separate fund and used by the Superintendent of Public Instruction in administering this act; and to provide penalties."

LEGISLATIVE BILL 270. Indefinitely postponed.

(Signed) Matzke, Chairman

Judiciary

LEGISLATIVE BILL 364. Placed on General File.

LEGISLATIVE BILL 391. Placed on General File with amendments.

Standing Committee amendments to L. B. 391:

1. Amend the bill, section 1, line 4, by striking the words "an adjoining county" and inserting in lieu thereof the words "any other county of the State of Nebraska".

2. Amend the bill, section 1, line 2, by striking the word "the" before the word "county" and inserting in lieu thereof the word "a".

3. Amend the title by striking the words "an adjoining" and inserting in lieu thereof the words "any other".

LEGISLATIVE BILL 414. Placed on General File with amendments.

Standing Committee amendments to L. B. 414:

1. Amend the bill, section 2, line 6, by inserting the punctuation "," after the word "gas" and by striking the word "and" in line 7, same being the first word in said line, and inserting in lieu thereof the punctuation and words ", hydrocarbons and all other".

2. Amend the bill, section 2, lines 7 and 8, by striking the words "lessors interest in the".

3. Amend the bill, section 2, line 10, by inserting after the word "thereof" and before the punctuation "," the words "at the leased premises".

4. Amend the bill, section 3, line 3, by striking the words "once a week during three" and inserting in lieu thereof the word "two".

5. Amend the bill by striking section 5 and renumbering section 6 as section 5.

6. Amend the title, line 9, by striking the word "and" and by inserting after the word "gas" the punctuation and words ", hydrocarbons and all other petroleum products".

LEGISLATIVE BILL 415. Placed on General File with amendments.

Standing Committee amendments to L. B. 415:

1. Amend the bill, section 1, line 8, by striking all of line 8 after the word and punctuation "**purposes,**" and all of lines 9 and 10, and by inserting in lieu thereof the words "**the rights of such lessees shall be protected**".

2. Amend the bill, section 3, line 4, by inserting the words "**all other**" after the word "**and**" before the word "**petroleum**".

3. Amend the bill, section 3, line 3, by inserting the punctuation and words "**, hydrocarbons**" after the word "**gas**".

4. Amend the bill, section 3, lines 4 and 5, by striking the words "**lessor's interest in the**".

5. Amend the bill, section 3, line 8, by inserting after the word "thereof" the words "**at the leased premises**".

6. Amend the bill, section 5, line 7, by inserting after the word and punctuation "**default.**" the following: "**Such notice shall not be required in case of the failure of the lessee to pay any delay rental provided for in such lease.**"

7. Amend the bill, section 7, line 5, by striking the words "**once a week during three**" and inserting in lieu thereof the word "**two**".

8. Amend the bill, section 7, line 5, by striking the word "**legal**".

9. Amend the bill by striking all of section 11.

10. Amend the bill, section 12, line 13, by inserting the punctuation "**,**" after the word "**part**" and by inserting the punctuation "**,**" after the word "**acres**".

11. Amend the bill, section 12, line 15, by inserting the word "**such**" between the words "**in**" and "**lease**".

12. Amend the bill, section 12, line 19, by striking the punctuation "**.**" after the word "**owned**" and inserting in lieu thereof the punctuation "**,**" and by adding the following: "**nor shall it be required to approve an assignment covering an undivided interest of less than forty leasehold acres.**"

13. Amend the bill, section 14, line 13, by striking the figure "12" and inserting in lieu thereof the figure "**11**".

14. Amend the bill by striking all of section 13 and reinserting the matter contained therein as a new section following the present section 18.

15. Amend the bill by renumbering the sections in accordance with the above amendments.

16. Amend the title, line 4, by striking the words "and gas purposes" and inserting in lieu thereof the punctuation and words ", gas, hydrocarbons and all other petroleum products".

(Signed) Gantz, Chairman

Enrollment and Review

Presented to Governor for Approval

Tuesday, March 23, 1943 at 8:40 a.m.

L. B. 170 L. B. 89 L. B. 179

LEGISLATIVE BILL 97. Placed on Select File with amendments.

E and R amendments to L. B. 97:

1. In legislature amendments by Mr. Peterson, first amendment, after the word "inclusive" and before the punctuation ".", insert the following: "and insert, in lieu thereof, the following: "72-229. ~~All bonds held by the State of Nebraska and belonging to the permanent school, permanent university, agricultural college, endowment, and normal endowment funds shall be stamped and signed by the state treasurer, with the following words: This bond belongs to the permanent school fund, permanent university fund, agricultural college endowment fund, and normal endowment fund of the State of Nebraska, and is not negotiable. Signed by ...., State Treasurer. Provided, the~~"; in the second legislature amendment by Mr. Peterson, 1st line, strike the figure "2" and in lieu thereof, insert the figure "1".

2. In Standing Committee amendment No. 1, strike all of said amendment after the words "relating to", in the third line, and in lieu thereof, insert: "bonds held in the various funds under the management and trusteeship of the Board of Educational Lands and Funds; to empower said board to sell any of such bonds for the purpose of the immediate reinvestment of the entire proceeds of such sale in bonds or securities of the United States government and to so reinvest all the proceeds of such sales; to provide certain procedure and requirements for such sales and reinvestments; to provide that such transaction shall be deemed an exchange of securities; to provide that, if the bonds in any of such funds sell for more than par value, the difference between the par value and the selling price of bonds sold shall, as a part of the respective permanent funds, be considered as a capital gain and set up as a capital reserve to offset past capital losses, except that the said difference shall be first used, as provided in this act, as far as may be necessary, to replace premiums and accrued interest paid on bonds so sold, at the time said bonds were purchased, and taken from the temporary or interest funds and not replaced in said funds; to provide for a notice of a proposed sale of the bonds of any Nebraska municipality to be given to such municipality before such bonds of such mu-

nicipality shall be sold; to repeal the original section; and to declare an emergency."

3. In Standing Committee amendment No. 2, line 20, strike: "as it shall deem advisable for", and in lieu thereof, insert: ", as it shall deem advisable for **the**"; lines 21 and 22, strike: ", and", and in lieu thereof, insert: "and . **A copy of the**"; line 26, after the word "**securities**", insert: "**to be**"; line 28, strike the punctuation "," after "**public**", and in lieu thereof, insert: "**and**" .

4. In Standing Committee amendment No. 2, page 2, line 37, strike the word "**The**", and in lieu thereof, insert: "**If the bonds in any of such funds shall sell for more than par value, the**"; line 42, strike the word "**where**" and in lieu thereof, insert the word "**if**"; line 44, strike: "**, there shall be**" and in lieu thereof, insert: "**of such board, such amount, as shall be necessary to replace such entire sum so taken from said temporary or interest funds and not replaced in said funds, shall be first**"; strike "**such amounts as**" in line 45, all of lines 46 and 47, and in lieu thereof, insert: "**from such difference and only the balance, if any, of such difference shall be so considered to be such a capital gain and set up as such capital reserve.** Provided" .

5. Insert the punctuation "," in Standing Committee amendment No. 2, in the following places: Line 19, after "**funds**"; line 23, after "**State**"; line 24, after "shall"; line 25, after "thereto" .

6. In Standing Committee amendment No. 3, 2nd line, after the quotation mark and before the word "Since", insert the following: "Sec. 3." .

(Signed) James H. Anderson, Chairman

Referred to Standing Committee

L.B.	Introducer	Committee Reference
426	Committee on Judiciary, by request Gantz, Chairman	Judiciary
427	Committee on Judiciary Gantz, Chairman	Judiciary

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 149.

A bill for an act to amend sections 71-209, 71-1804 and 71-1806, C. S. Supp., 1941, relating to public health and welfare; to relieve persons, licensed to practice the professions named in this act, from the payment of the annual renewal license fees, otherwise required, while actively engaged in the military service of the United States, as defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; defining an accredited school or college of pharmacy and an accredited department of pharmacy of a university; to provide that all applicants for examination, accepted by the Board of Examiners in Pharmacy, shall be graduates of an accredited school or college of pharmacy or an accredited department of pharmacy of a university, as so defined; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Crosby
Cullingham
Gantz
Norman
Peterson
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 187. Laid over.

LEGISLATIVE BILL 41.

A bill for an act relating to the prevention of congenital syphilis; to provide for the taking of a sample of blood of pregnant women for submission to an approved laboratory for a standard serological test for syphilis; to define standard serological test and approved laboratory; to provide for the filing of the results of such tests with the Department of Health; to require each birth certificate to show the date when such a test was made and if no test was made, the reason shall be recorded upon such certificate, but said certificate shall not show the result of any such test; and to provide that the Department of Health shall provide the necessary expenses in carrying out the provisions of this act.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Craven
Crosby
Gantz
Peterson
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 40.

A bill for an act relating to premarital examination and public health; to provide for the filing of a certificate, made by a physician, or other person authorized by the laws of Nebraska to make such a certificate, by each applicant for a marriage license, stating that the applicant, upon an examination, including a standard serological test, is found to not be infected with syphilis or, if so infected, that the disease is not in a stage which is or may become communicable to a marital partner; to provide that such certificate be accompanied by a statement from a person in charge of or authorized to make reports for the laboratory making such test, which certificate and statement shall be on a form provided by the Department of Health and referred to in this act as "the certificate form"; to define standard serological test and approved laboratory; to define the duties of the Department of Health in connection therewith; to authorize the county judge to waive compliance with the requirements of this act, under certain circumstances, and to provide for certain procedure if the license is issued because of such waiver; to provide free examinations and laboratory tests in certain cases; to prescribe penalties for violation of the provisions of this act; to provide for the payment of the expenses necessary for carrying out the provisions of this act; to amend section 42-104, Compiled Statutes of Nebraska, 1929; to provide for the issuance of a license to marry; to provide for the written consent of the parent or parents or the guardian or guardians of all contracting parties who shall not have attained the age of their majority before a license to marry shall be issued; to repeal the original section; and to state validity and saving clauses.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Craven
Crosby
Gantz
Peterson
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 69.

A bill for an act to amend subsection (1) of section 17-441, C. S. Supp., 1941, and section 17-515, C. S. Supp., 1941, relating to investment of surplus municipal funds; providing that any surplus in the funds therein specified may be invested in interest bearing bonds or obligations of the United States; and to repeal the original subsection (1) of said section 17-441, C. S. Supp., 1941, and said original section 17-515, C. S. Supp., 1941.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Crosby
Gantz
Peterson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 140.

A bill for an act relating to bonds, undertakings, obligations and other contracts of suretyship; to make it lawful for any person or persons, of whom such a bond, undertaking, obligation or contract is required, to contract with such surety or sureties for the deposit of any or all of the money or assets, for which such person or persons and such surety or sureties are or may be held responsible, in a bank or other authorized and approved depository, herein designated, under the conditions and procedure herein provided; and to state the effect thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass?'"

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Jeffords.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 141. Laid over.

LEGISLATIVE BILL 165.

A bill for an act to amend section 29-302, Compiled Statutes of Nebraska, 1929, relating to criminal procedure; to provide for trial of complaints to keep the peace in municipal court or county court; to provide for peace bond to be given; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 39:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Cullingham
Dooley
Doyle
Foster
Gantz
Jeffords
Jeppesen
Klaver
Lee
Matzke
Ogden
Osborne
Peterson
Raecke
Reavis

Carmody
Conklin
Craven
Crosby
Crossland
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Mekota
Mischke
Mueller
Neubauer
Norman
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 4:

Anderson, James H.
Hanna
Rakow
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 177. With emergency clause.

A bill for an act specifically to appropriate the sum of $10,021.92, or so much thereof as may be necessary, out of the general fund of the State of Nebraska to pay the premiums on the official bonds of the State Treasurer and deputy state treasurer for the term commencing January 7, 1943; to pay the premiums for burglary and robbery insurance and for the bond for messenger robbery insurance in connection with the office of the State Treasurer, for the period ending January 5, 1945; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 2: Foster, Tvrdik.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statements for the Journal

Mr. President: Had I been present I would have voted "aye" on L. B. 165 and L. B. 177.

(Signed) Tvrdik

Mr. President: Had I been present I would have voted "aye" on L. B. 177.

(Signed) Foster

LEGISLATIVE BILL 209. With emergency clause.

A bill for an act relating to the administration of the estates of persons who are missing or whose whereabouts are and have been unknown, for at least ninety days, and persons who are and have been prisoners of war or detained or interned by any foreign power, incident to war, for such time; to confer jurisdiction on the county court of the respective counties in this state in such cases and providing the procedure therefor; providing for the sale and mortgage of real and personal property of such persons, under certain circumstances, and providing the procedure therefor; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 46.

A bill for an act relating to decedents' estates; to provide for the summary settlement of the estate of a deceased person where the property of such estate is wholly exempt and not liable for the payment of the debts of such deceased person; to amend sections 30-332, 30-333 and 30-334, Compiled Statutes of Nebraska, 1929; to repeal the original sections; to provide that this act may be cited as the "small estates act"; to state a validity clause; and to provide that the remedy granted by the same shall be cumulative.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 366.

A bill for an act relating to schools; to provide that all teachers, nurses, principals, supervisors, assistant superintendents and superintendents shall be hired by written contract on a form recommended by the Superintendent of Public Instruction; to provide certain mandatory provisions to be contained in such contract; to prohibit a person, under contract with one school district or board of education, school board, board of regents or trustees of a school district, from entering into a contract with another school district under the circumstances stated in this act; to prohibit a school district or board of education, school board, board of regents or trustees of a school district from entering into a contract with a person as a teacher, nurse, principal, supervisor, assistant superintendent or superintendent under the circumstances stated in this act; to define certain terms by reference; to provide penalties; and to provide for suspension of teacher's certificate, after notice and hearing, for violation or abrogation of contract.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, James H.
Bowman
Crosby
Dooley
Greenamyre
Hubka
Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 59.

A bill for an act to amend section 38-519, C. S. Supp., 1941, relating to estates of minors or incompetents of the value of one hundred dollars or less; to provide that when the amount due any minor or incompetent, under any proceeding in any court of record, shall be less than one hundred dollars, the county judge may authorize the natural guardian or person who stands in loco parentis to the minor, or if there be none, or if such minor or incompetent is a nonresident of the State of Nebraska, the county judge of the county in which the proceeding is pending, to accept and receipt for the amount due; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Craven
Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Recommit to Select File

Mr. President: I move that L. B. 187 be recommitted to Select File for the following specific amendment:

Amend the title, line 8, by inserting after the word "field" the words and punctuation ", without first submitting such proposition to the voters; to authorize, without a vote of the legal voters, the levy of an annual tax not to exceed one mill, for the purpose of leasing, improving and maintaining such aviation field;".

(Signed) Sorrell

The motion prevailed.

REQUEST—To Recommit to Select File

Mr. Thompson asked unanimous consent to recommit L. B. 152 to Select File for the following specific amendment:

Amend page 2 of the bill, Sec. 1, line 13, by inserting after the word "no" the following additional matter: **more than 150 feet of** and striking the rest of line 13 following the word "sidewalk"; and by striking the word "feet" in line 14 of the same section.

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 201. E and R amendments, found in the Legislative Journal for the Fifty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 187. Mr. Sorrell's Specific Amendment, above set out, was adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 106. Mr. Foster offered an amendment which was lost with 13 ayes, 19 nays, 11 not voting.

Mr. Doyle offered the following amendments and moved their adoption:

1. Amend the title, line 2, by adding after the figures "81-103" and before the punctuation the following: "and section 68-318".

2. Amend the title, line 4, by adding after the word "departments" and before the punctuation the following: "and the Director of Assistance".

3. Amend the title, line 7, by striking the word "and".

4. Amend the title, line 9, by adding after the word "annum" and before the punctuation the following: "and the salary of the Director of Assistance shall be increased to four thousand dollars per annum".

5. Amend page 2 of the bill, by adding a new section 2 reading as follows:

"Sec. 2. That section 68-318, C. S. Supp., 1941, be amended to read as follows:

68-318. (1) The State Assistance Fund shall be administered and disbursed by the Board of Control of state institutions. All meetings of the Board of Control under the provisions of this ~~Act~~ **act** and of laws related thereto shall be open to the public.

(2) The ~~governor~~ **Governor,** with the consent of a majority of the members elected to the Legislature shall appoint an executive secretary for the Board of Control to be designated and known as the "Director of Assistance" of the State of Nebraska, at an annual salary of not to exceed ~~$3,600.00~~ **Four Thousand Dollars** payable monthly. The Director of Assistance shall be appointed ~~for the period ending upon the first Thursday after the first Tuesday in January, 1939, and until his successor shall be appointed and qualified, and~~ in January, **of each odd numbered year** ~~1939, and every two years thereafter, a Director of Assistance shall be appointed as above~~ for a term of two years and until his successor shall be appointed and qualified. The Director of Assistance may be removed by the Governor for cause. A vacancy in the office of Director of Assistance may be filled by the Governor pending confirmation by the Legislature at the first regular or special session to be held after such vacancy occurs. The Director of Assistance shall have and exercise the powers and duties now vested in him by law and now vested in the Director of the State Child Welfare Bureau by law; and all powers and duties heretofore vested in the Director of the State Child Welfare Bureau are hereby assigned, transferred and delegated to the Director of Assistance. The Board of Control may employ such additional personnel as may be necessary to administer the provisions of this ~~Act,~~ **act,** and may pay such personnel reasonable salaries and wages and necessary ~~expenses.~~ **;** Provided, that such salaries and wages shall not exceed the average salaries and wages paid for similar services performed by other state employees. In addition to all other powers and duties heretofore vested in the Board of Control, said ~~Board of Control~~ **board** shall hereafter have and exercise all of the rights, powers and duties and custody and control of all public property, equipment and records heretofore delegated to, vested in, imposed upon and in the custody of the State Assistance

Committee and of the State Child Welfare Bureau and all of the same are hereby assigned and transferred from the State Assistance Committee and the State Child Welfare Bureau to the Board of Control. Wherever in Chapters 20, 21, 24, 28 and 30 Session Laws of Nebraska, 1935, Special, or in any other statutes or laws of this state the name or term State Assistance Committee is used or referred to, the same shall mean and refer to the Board of Control, and wherever the name or term State Child Welfare Bureau or its equivalent is used or referred to in any of said chapters or in Chapters 43, 71, and 81, Compiled Statutes of Nebraska, 1929, and supplements thereto and in any other statutes or laws of this state, it shall mean and refer to said Board of Control. Wherever in any of said chapters aforesaid or in any other statutes or laws of this state the name or term Director of the Child Welfare Bureau or its equivalent is used or referred to, it shall mean and refer to the Director of Assistance. The State Assistance Committee is hereby abolished. The office of member of the State Assistance Committee is hereby abolished. The State Child Welfare Bureau is hereby abolished. The office of Director of the State Child Welfare Bureau is hereby abolished."

6. Amend page 2 of the bill, present section 2, line 1, by changing the section number from 2 to 3 and inserting after the figures 81-103 and before the punctuation the following: "and section 68-318"

7. Amend page 2 of the bill, present section 2, line 2, by striking the word "is" and substituting in lieu thereof the word "are".

Record vote was requested.

Voting in the affirmative, 5:

Anderson, James H.
Doyle
Jeffords
Lee
Thompson

Voting in the negative, 22:

Brodahl
Burnham
Carmody
Craven
Crosby
Dooley
Foster
Gantz
Garber
Heiliger
Hubka
Klaver
Mekota
Mischke
Mueller
Neubauer
Osborne
Raecke
Rakow
Sorrell
Thomas
Weborg

Not voting, 16:

Anderson, D. S.
Asimus
Bowman
Conklin
Crossland
Cullingham
Greenamyre
Gutoski
Hanna
Jeppesen
Matzke
Norman
Ogden
Peterson
Reavis
Tvrdik

The amendments were not adopted.

Mr. Jeppeson moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 17:

Burnham
Carmody
Dooley
Doyle
Foster
Garber
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mueller
Neubauer
Osborne
Sorrell
Thomas
Weborg

Voting in the negative, 19:

Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Matzke
Mischke
Norman
Peterson
Rakow
Reavis
Thompson
Tvrdik

Not voting, 7:

Anderson, D. S.
Asimus
Craven
Cullingham
Hubka
Ogden
Raecke

The motion was lost.

No further action taken.

Adjournment

At 12:25 p.m. on motion by Mr. Raecke the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 24, 1943.

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifty-third Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Thomas, one, favoring Legislative Resolution 12; all members, one, opposing L. B. 100.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 207. Placed on General File with amendments.

Standing Committee amendments to L. B. 207:

1. Amend page 2 of the bill, section 1, line 9, by inserting after the word "collectively" the following: ", as limited and defined herein,".

2. Amend page 2 of the bill by inserting a new section, numbered "3" after the present section 2, reading as follows:

"Sec. 3. As used in this act, the term "collective bargaining" is defined as all negotiations that may take place between the elective or appointive officials of any of the governmental subdivisions or bodies mentioned in section 1 of this act, and a representative or representatives of the employees thereof selected by them, with respect to rates of pay, wages, hours, and all other conditions of employment. Collective bargaining shall not include any recognition of a closed shop or exclusive bargaining rights, and shall not be construed as giving the right to strike, or to use any coercive methods."

3. Amend page 2 of the bill, by inserting a new section, numbered "4", reading as follows:

"Sec. 4. This act shall not apply to employees whose wages are now fixed by law."

4. Amend page 3 of the bill, by striking the present section number 3 and inserting in lieu thereof the figure "5".

5. Amend the title, line 20, by inserting after the semicolon the following: "to define the term "collective bargaining"; to provide that this act shall not apply to employees whose wages are now fixed by law;" .

LEGISLATIVE BILL 341. Placed on General File.

(Signed) Craven, Chairman.

Revenue

LEGISLATIVE BILL 226. Indefinitely postponed.

LEGISLATIVE BILL 338. Indefinitely postponed.

LEGISLATIVE BILL 376. Indefinitely postponed.

LEGISLATIVE BILL 392. Indefinitely postponed.

LEGISLATIVE BILL 280. Placed on General File with amendments.

Standing Committee amendments to L. B. 280:

1. Amend the bill, section 1, by striking all of lines 53 to 59, inclusive, and inserting in lieu thereof the following:

"(2) Every person licensed under the provisions of section 45-133, C. S. Supp., 1941, in lieu of all other taxes on intangible prop-

erty shall pay twenty mills upon the dollar of the gross income from interest and charges collected in this state on business transacted under its license during the calendar year preceding the assessment, as shown by the reports of the licensee to the Department of Banking. Said tax shall be paid to the State Treasurer on or before March 1 each year. No license shall be issued to do or continue business by any such person in this state while any such tax remains due and unpaid."

2. Amend the bill, section 1, by inserting after the word "bank" in lines 4, 8, 18, 19, 22, 26, 39, 43, 48, 50 and 51, the words and punctuation **", industrial loan and investment company".**

3. Amend the bill, section 1, line 25, by inserting after the word "the" before the word "~~association~~" the words **"bank, industrial loan and investment company"** and by reinserting the stricken word "or" after the word "~~association~~".

4. Amend the bill by adding a new section as follows:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

5. Amend the title to the bill, lines 3 to 14, by striking the words "to provide that every" in line 3 and all of lines 4 to 14, inclusive, and substituting the following in lieu thereof: "to restate what corporations and companies shall make returns and be taxed in the manner provided therein; to provide for the taxation of industrial loan and investment companies in the same manner as banks; to provide for the taxation of the intangible property of licensees under section 45-133, C. S. Supp., 1941, by a tax of twenty mills upon the dollar of the gross income from interest and charges collected in this state by the licensee during the calendar year preceding the assessment; to repeal the original sction; and to declare an emergency."

(Signed) Raecke, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 295. Placed on General File with amendments.

Standing Committee amendments to L. B. 295:

1. Amend page 2 of the bill, by striking all of section 2 and inserting the following in lieu thereof:

"Sec. 2. Any county or group of counties may establish a county or district health department with a medical director at its head, who shall be required to give his entire time to the duties of his office, and such other necessary qualified full time medical health officers and such sanitary inspectors, public health nurses, and clerical assistants as may be necessary to carry on the activities pertinent to a county or district health department."

2. Amend page 2 of the bill, section 3, lines 4 and 5, by striking the words "and federal funds" and substituting the following words and punctuation in lieu thereof: ", federal, and other funds, or any of such funds," .

3. Amend page 2 of the bill, section 3, line 18, by striking the words "county department of health" and substituting in lieu thereof the words: "city-county health department".

4. Amend page 3 of the bill, by striking the section number "3" and inserting in lieu thereof the figure "4".

5. Amend page 3 of the bill, present section 3, line 3, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

6. Amend page 3 of the bill, present section 3, line 7, by inserting after the word "funds" the words: "in the general fund" .

7. Amend page 3 of the bill, present section 3, lines 9 and 10, by striking the words "department of health" and substituting in lieu thereof the words: "health department".

8. Amend page 3 of the bill, present section 3, line 15, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

9. Amend page 3 of the bill, present section 3, line 20 and 21, by striking the words "departments of health" and substituting in lieu thereof the words: "health departments".

10. Amend page 3 of the bill, present section 3, line 21, by striking after the word "as" the words "departments of health" and substituting in lieu thereof the words: "health departments" .

11. Amend page 3 of the bill, present section 3, line 24, by striking the words "departments of health" and substituting in lieu thereof the words: "health departments" .

12. Amend page 3 of the bill, present section 3, line 26, by inserting after the word "tax" the following: ", in addition to any funds raised by taxation which are now being appropriated and used by any municipality for health purposes," .

13. Amend page 3 of the bill, by striking the present section number "4" and inserting in lieu thereof the figure "5".

14. Amend page 3 of the bill, present section 4, line 1, by striking the words "department of health" and substituting in lieu thereof the words "health department".

15. Amend page 4 of the bill, present section 4, lines 1 and 2, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

16. Amend page 4 of the bill, present section 4, line 5, by striking the words "an advisory".

17. Amend page 4 of the bill, present section 4, lines 24 and 25 by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

18. Amend page 4 of the bill, present section 4, line 33, by inserting after the punctuation following the word "district" the following: "or if any county does not have a medical society, a physician chosen from a list of three physicians residing and practicing in such district, submitted by the district medical society," .

19. Amend page 5 of the bill, present section 4, lines 48 and 49, by striking the words "county department of health" and substituting in lieu thereof the words: "city-county health department" .

20. Amend page 6 of the bill, by striking the present section number "5" and inserting in lieu thereof the figure "6" .

21. Amend page 6 of the bill, present section 5, line 2, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

22. Amend page 6 of the bill, present section 5, line 5, by inserting after the word "president" the punctuation and words: ", one as vice-president" .

23. Amend page 6 of the bill, present section 5, line 9, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

24. Amend page 6 of the bill, present section 5, line 11, by striking the word "officer" and inserting in lieu thereof the word: "director".

25. Amend page 6 of the bill, present section 5, line 12, by striking the word "physician" and substituting in lieu thereof the words: "of an accredited medical school".

26. Amend page 6 of the bill, present section 5, line 21, by striking the word "directors" and substituting in lieu thereof the words: "of its members" .

27. Amend page 6 of the bill, present section 5, line 23, by striking the words "chief health officer" and inserting in lieu thereof the words: "health director" .

28. Amend page 6 of the bill, present section 5, line 23, by inserting after the word "and" the words: "their pay and" .

29. Amend page 6 of the bill, present section 5, line 24, by inserting after the word "expenses" and before the punctuation the words: "in the performance of their duties" .

30. Amend page 7 of the bill, present section 5, line 31, by striking the words "department of health" and inserting in lieu thereof the words: "health department" .

31. Amend page 7 of the bill, present section 5, line 49, by striking the word "officer" and substituting in lieu thereof the word: "director" .

32. Amend page 7 of the bill, by striking the present section number "6" and inserting in lieu thereof the figure "7".

33. Amend page 7 of the bill, present section 6, line 1, by striking the words "public health officer" and substituting in lieu thereof the words: "health director" .

34. Amend page 7 of the bill, present section 6, line 5, by inserting after the word "of" and before the word "trained" the following words: "such other full time qualified physicians necessary to a properly functioning staff and" .

35. Amend page 7 of the bill, by striking the present section number "7" and inserting in lieu thereof the figure "8".

36. Amend page 7 of the bill, present section 7, line 1, by striking the words "department of health" and inserting in lieu thereof the words: "health department" .

37. Amend page 8 of the bill, by striking the present section number "8" and inserting in lieu thereof the figure "9".

38. Amend page 8 of the bill, present section 8, line 3, by striking the word "chairman" and substituting in lieu thereof the words: "president, or in his absence the vice-president," .

39. Amend page 8 of the bill, present section 8, line 4, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

40. Amend page 8 of the bill, by striking the present section number "9" and inserting in lieu thereof the figure "10".

41. Amend page 8 of the bill, present section 9, by striking the words "department of health" and substituting in lieu thereof the words: "health department" .

42. Amend page 8 of the bill, present section 9, line 3 by striking the word "all" and substituting in lieu thereof the word: "every" .

43. Amend page 8 of the bill, present section 9, line 4, by striking the words "agencies and departments" and substituting in lieu thereof the words: "agency or department" .

44. Amend page 8 of the bill, present section 9, line 5, by striking the words "departments of health" and substituting in lieu thereof the words: "health departments shall" .

45. Amend page 8 of the bill, by adding a new section to be numbered "11" reading as follows:

"Sec. 11. Any section, clause, phrase or requirement heretofore mentioned in this act shall not apply to any school district in the State of Nebraska except that any school district, upon application to a county, district or city-county health department formed under this act, may accept in whole or in part any of the provisions of this act by entering into an agreement for that purpose with such health district."

46. Amend page 8 of the bill, by striking the present section number "10" and inserting in lieu thereof the figure "12".

47. Amend page 8 of the bill, by adding a new section numbered "13".

"Sec. 13. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval according to law."

48. Amend page 2 of the bill, section 2, line 1, by striking the words "or group of counties" and substituting in lieu thereof "having a population of twenty thousand inhabitants or more and less than two hundred thousand inhabitants".

49. Amend page 2 of the bill, section 2, line 2, by striking the words "or district" .

50. Amend page 2 of the bill, section 3, line 1, by inserting after the word "having" the words: "more than twenty thousand and" .

51. Amend page 2 of the bill, section 3, lines 7 to 15, by striking the words and punctuation "and any other counties, which" in line 7, all of lines 8, 9, 10, 11, 12, 13, and 14, and the words "and approved by the state Department of Health" in line 15.

52. Amend page 3 of the bill, section 3, by striking all of lines 9 to 17.

53. Amend page 3 of the bill, section 3, line 18, by changing the subsection number "(3)" to "(2)".

54. Amend pages 4 and 5 of the bill, section 4, lines 23 to 45, by striking the punctuation and words "(2) by a joint resolution" in line 23 and all of lines 24 to 45, inclusive.

55. Amend page 5 of the bill, section 4, line 46, by striking the following: "(3)" and inserting in lieu thereof "(2)".

56. Amend page 6 of the bill, section 5, by striking the punctuation and word " , district" .

57. Amend page 7 of the bill, section 6, lines 1 and 2, by striking the punctuation and word " , district," .

58. Amend pages 7 and 8 of the bill, section 7, lines 1 and 2, by striking the punctuation and word " , district" .

59. Amend page 8 of the bill, section 8, line 3, by striking the punctuation and word ", district".

60. Amend page 8 of the bill, section 9, lines 1 and 2 by striking the words "or counties".

61. Amend page 8 of the bill, section 9, line 5, by striking the words "or district departments" and substituting in lieu thereof the word "department".

62. Amend page 8 of the bill, section 9, lines 6 and 7, by striking the words "or counties".

63. Amend the title, lines 6 and 7, by striking the words "two or more counties".

(Signed) Foster, Chairman.

Government

LEGISLATIVE BILL 210. Indefinitely postponed.

LEGISLATIVE BILL 262. Indefinitely postponed.

LEGISLATIVE BILL 311. Indefinitely postponed.

LEGISLATIVE BILL 302. Indefinitely postponed.

LEGISLATIVE BILL 393. Indefinitely postponed.

LEGISLATIVE BILL 291. Indefinitely postponed.

LEGISLATIVE BILL 345. Indefinitely postponed.

LEGISLATIVE BILL 370. Indefinitely postponed.

LEGISLATIVE BILL 111. Indefinitely postponed.

LEGISLATIVE BILL 183. Indefinitely postponed.

(Signed) Doyle, Government

Agriculture

LEGISLATIVE RESOLUTION 12. The majority of the Committee on Agriculture voted in favor of the resolution.

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL 215. Placed on Select File with amendments.

E and R amendments to L. B. 215:

1. At the end of the second legislature amendment by Mr. Raecke, after the period, insert the following: "The insertion in line 23 is to follow that inserted by Standing Committee amendment No. 8.".

2. In Standing Committee amendment No. 8, strike the quotation mark and period at the end thereof, and in lieu thereof, insert: ",".

3. In Standing Committee amendment No. 12 strike the comma after the word "force" in line 2 of the insertion.

4. In the bill, Section 1, page 2, line 19, and also in Section 2, page 3, line 25, after the word "**and**" and before the word "**addresses**", insert the word "**postoffice**"; Section 1, page 2, line 20, and also Section 2, page 3, line 26, strike: "**, showing their post office address**"; Section 2, page 3, line 13, strike the word "and", and in lieu thereof, insert "and".

5. Strike the comma and in lieu thereof insert the punctuation ";" in the bill in the following places: Section 1, page 2, line 4, after "country"; Section 2, page 3, line 17, after "value".

6. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 3, after "company"; Section 2, page 2, line 6, after "property".

7. In accordance with Standing Committee amendment No. 15, in the title, page 1, 7th line, after the word "company", insert the following: ", except as specifically provided in this act,"; in the 14th line, strike: "to provide a penalty" and in lieu thereof, insert: "to provide for the time of filing such statements in the year 1943 and each year thereafter; to provide for the granting by the Tax Commissioner of thirty days additional time after March 1 for such fire insurance companies to file such a written statement under certain conditions and circumstances".

LEGISLATIVE BILL 221. Placed on Select File with amendments.

E and R amendments to L. B. 221:

1. In Standing Committee amendment No. 1, 5th line, after the

word "appropriations" and before the punctuation ";", insert: ", except those expressly excepted from the provisions of this act"; 6th line, strike the word "his", and in lieu thereof, insert the word "the", and strike the punctuation ";" at the end of the line, and in lieu thereof, insert the word "and"; 7th line, strike: "to prescribe his powers and duties", and in lieu thereof, insert: "prescribe the powers and duties of such Purchasing Agent"; 10th line, strike the punctuation "," after the word "equipment"; 10th and 11th lines, strike the word "whatever", and in lieu thereof, insert the word "whatsoever"; 14th line, add a quotation mark after "1929." and insert the following: "and correct the capitalization and punctuation of the enacting clause so it will read as follows:" and insert a quotation mark before the word "Be" in the 15th line.

2. In Standing Committee amendment No. 2, Section 2, page 1, line 3, strike the word "or" after "thereto,"; Section 3, page 2, line 4, strike the word "succeeding" and in lieu thereof, insert: ", following"; line 7, strike: "vacancy in", and in lieu thereof, insert: "a vacancy in this"; line 9, strike the word "by", and in lieu thereof, insert: ", by a"; Section 7, page 2, line 6, strike the word "for" at the beginning of the line; Section 8, page 3, line 3, strike the word "and"; Section 9, page 3, line 4, strike the word "the" before the word "state"; line 8, strike: ", and shall render", and in lieu thereof, insert: "and"; line 9, strike the words "the Governor", and in lieu thereof, insert the word "and", and strike the word "latter" and in lieu thereof, insert the word "Governor"; line 11, strike: ", and all", and in lieu thereof, insert: ". All"; line 12, after the word "to", at the end of the line, insert the word "the"; line 15, after the word "all", at the end of the line, insert the word "the".

3. In Standing Committee amendment No. 2, Section 10, page 3, line 1, strike the word "the" before "State Engineer"; line 2, strike the word "the" before "Tax Commissioner"; line 3, strike: ", which is"; Section 11, page 3, line 6, strike: "using agencies or for", and in lieu thereof, insert the word "or"; page 4, line 14, strike all of said line after the word "laboratories", and in lieu thereof, insert: ", the tests and analyses of which will be acceptable;"; Section 12, page 4, strike all of lines 4 and 5, beginning with the word "Inspection"; Section 14, page 4, line 2, insert the word "as" before the word "determined", strike the word "and" before the word "established", and in lieu thereof, insert the punctuation ",", and strike the word "as" before the word "provided", and in lieu thereof, insert the word "and"; line 3, strike: ", and no", and in lieu thereof, insert: ". No"; Section 15, page 4, line 5, strike the word "to" before the word "check", and in lieu thereof, insert: ", who shall".

4. In Standing Committee amendment No. 2, Section 16, page 5, line 3, strike: "his satisfaction,", and in lieu thereof, insert: "the satisfaction of such agent that,"; line 7, strike the word "that"; strike the

punctuation "," and insert the punctuation ";" in line 9, after "revocable", line 11, after "dollars" and also after "purchased"; strike "in writing" in line 16, all of line 17, and "under such orders" in line 18, and in lieu thereof, insert: "their acts and expenditures, under such orders, to the Purchasing Agent each month in writing and furnish such agent"; Section 18, page 5, line 7, strike the word "of" after the word "furnishing".

5. Insert the punctuation "," in the Standing Committee amendment No. 2, in the following places: Section 3, page 2, line 9, after "appointment"; line 10, after "vacancy"; line 11, after "term"; Section 6, page 2, line 9, after "be"; Section 11, page 3, line 5, after "agencies"; line 6, after "agencies"; line 11, after "use" and also after "purposes"; Section 12, page 4, line 1, after "fee"; line 3, after "contract"; Section 13, page 4, line 1, after "hearings"; line 6, after "specification"; line 7, after "it"; line 13, after "specification"; Section 15, page 5, line 15, after "schedules" and also after "thereof"; Section 16, page 5, line 2, after "made"; line 10, after "only"; line 16, after "agencies" and also after "permission"; Section 18, page 5, line 5, after "articles"; line 6, after "specifications"; line 9, after "articles"; line 10, after "specifications".

6. Strike the punctuation "," in the Standing Committee amendment No. 2, in the following places: Section 2, page 1, line 4, after "bridge"; line 7, after "schools"; Section 5, page 2, line 9, after "corporation"; Section 6, page 2, line 9, after "then"; line 10, after "interested"; line 13, after "intermediary" and also after "purchases"; Section 10, page 3, line 2, after "nominee"; and also after "Commissioner"; Section 11, page 3, line 3, after "establish"; Section 13, page 4, line 11, after "Governor"; line 12, after "veto"; line 14, after "need"; Section 14, page 4, line 6, after "tendered"; Section 15, page 5, line 14, after "only"; line 16, after "requisition"; Section 16, page 5, line 6, after "article"; line 14, after "lapse".

Correctly Engrossed

L. B. 211 L. B. 213

Correctly Enrolled

L. B. 31 L. B. 154
L. B. 32 L. B. 116

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 31	L. B. 154
L. B. 32	L. B. 116

RESOLUTIONS

LEGISLATIVE RESOLUTION 14. Dissolution of Pershing Memorial Commission

Introduced by Daniel Garber of Webster and Fred A. Mueller of Buffalo

WHEREAS, on the 24th day of January, 1939, upon motion of Senator Dan Garber, 32nd District, the Fifty-third Legislature of Nebraska adopted a memorial resolution creating a Board of Commissioners to act as a Pershing Memorial Commission, the purpose of which was to honor General John J. Pershing; and, whereas, on the 25th day of January, 1939, the President of said Legislature, William E. Johnson, as directed by said resolution, appointed a Board of Commissioners of six members and three ex-officio members; and,

WHEREAS, said Board of Commissioners, acting as the Pershing Memorial Commission and by and through various other committees and employees named by it, has made certain progress in memorializing the name of General John J. Pershing, having published and sold a book entitled "A Great American" acquainting the people with General Pershing and having made other plans for other suitable memorials honoring General John J. Pershing, which plans cannot be completed at the present time due to the present emergency conditions; and,

WHEREAS, the Board of Commissioners and the Pershing Memorial Commission have completed any and all plans that can be completed at the present time and have adjusted their obligations and have no outstanding debts; and,

WHEREAS, it is for the best interests of the Board of Commissioners and the Pershing Memorial Commission and the State of Nebraska that the present Board of Commissioners and the Pershing Memorial Commission be dissolved.

THEREFORE, BE IT RESOLVED that this Legislature extend its appreciation to the members of the Board of Commissioners, the Pershing Memorial Commission, and all of the many members of its various committees and other persons who have given their time and services in carrying on the work of the Pershing Memorial Commission.

BE IT FURTHER RESOLVED that upon the passage of this resolution that the Board of Commissioners of the Pershing Memorial Commission, and all of its committees, be and the same hereby are dissolved, and that the duties of all of the members of said board, commission, committees and any and all employees be and the same hereby are terminated.

BE IT FURTHER RESOLVED that any and all books, records, or property of any kind now belonging to the Pershing Memorial Commission, the Board of Directors of the Pershing Memorial Commission, or the members of any committee of the Pershing Memorial Commission, or employee thereof, and in their hands, be delivered up to and turned over to the Clerk of the Legislature of Nebraska to be by him kept and preserved until further disposed of by him as directed by the Legislature.

LEGISLATIVE RESOLUTION 12. Release of Radio Supplies.

Mr. Greenamyre moved to suspend the rules and consider Legislative Resolution 12 at once.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Mr. Greenamyre moved that the Resolution be adopted.

The motion prevailed unanimously.

MOTION—To Suspend Rules and Consider Bill

Mr. Matzke moved to suspend rules and take up L. B. 97 on Select File at once.

The motion prevailed with 32 ayes, no nays, 11 not voting.

SELECT FILE

LEGISLATIVE BILL 97. E and R amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 152. E and R amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for engrossment.

MESSAGE FROM GOVERNOR

Appointment

March 24, 1943.

To the President, the Speaker and Members of the Legislature.

Gentlemen:

In accordance with Section 28, Article IV of the Constitution of Nebraska, I am submitting for the consideration of your honorable body the appointment of Robert M. Armstrong, Auburn, as State Tax Commissioner.

Respectfully submitted,
(Signed) Dwight Griswold
Governor of Nebraska.

GENERAL FILE

LEGISLATIVE BILL 106. Mr. Greenamyre offered the following amendment, which was adopted:

Amend the bill by making the title conform to the bill as a whole.

Mr. Greenamyre moved to refer the bill to E and R for review.

After discussion Mr. Gutoski moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 25 ayes, 2 nays, 16 not voting.

Mr. Greenamyre's motion prevailed with 22 ayes, 14 nays, 7 not voting.

LEGISLATIVE BILL 188. Mr. Peterson requested unanimous consent to have L. B. 188 placed at the foot of General File.

No objection was offered. So ordered.

LEGISLATIVE BILL 305. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 307. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 308. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 150. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 100. Read and considered.

Standing committee amendments numbered 1 to 15 inclusive and 17 and 18, found in the Legislative Journal for the Thirty-third Day, were adopted.

Standing Committee amendment numbered 16 was lost.

Mr. Raecke offered the following amendments, which were adopted:

Amend page 6 of the bill, Sec. 11, line 23, by striking the period, inserting a comma in lieu thereof, and adding the following: "nor an auctioneer, employed by a receiver, trustee in bankruptcy, administrator, executor or trustee, to aid and assist in conducting a public sale held by any such officer."

Amend Section 24, line 3 by striking the word "five" and inserting in lieu thereof the word "thirty".

Amend Section 24, line 8, by striking the word "five" and inserting in lieu thereof the word "thirty".

Mr. Greenamyre offered the following amendment, which was adopted:

Amend Section 23, page 12, line 14 by inserting after the word "court" and before the word "and", the following: "of the county of his residence".

Mr. Lee offered the following amendment, which was adopted:

Strike Section 29; and strike the words "and to declare an emergency" from the title.

Mr. Bowman moved to refer to E and R for review.

Visitor

Mr. Brodahl introduced Emil E. Placek, a former member, who addressed the Legislature briefly.

MOTION—To Send Flowers

Mr. Lee moved that the sympathy of the Legislature be expressed to Mr. and Mrs. Mekota and that flowers be sent for the funeral of Mrs. Mekota's mother.

The motion prevailed.

Adjournment

At 12:10 p.m. on motion by Mr. Heiliger the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 25, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hanna, and except Mr. Mekota, who was excused.

The Journal for the Fifty-fourth Day was approved as corrected.

PETITIONS AND MEMORIALS

Mr. Mischke, as Chairman of the Committee on Public Works, introduced a petition regarding L. B. 253.

Communications

A letter was read from Harry R. Follmer, Secretary, regarding the Pershing Memorial Commission.

A letter was read from Paul M. Hawkins, Secretary to Senator Hugh Butler, acknowledging receipt of Legislative Resolution 11.

NOTICE OF COMMITTEE HEARINGS

Judiciary

L. B. 427, Wednesday, March 31, 1943, at 2:00 p.m.

(Signed) Gantz, Chairman

Public Health and Miscellaneous Subjects

L. B. 181, Wednesday, March 31, 1943, 2:00 p.m.

L. B. 279, Wednesday, March 31, 1943, 2:00 p.m.

L. B. 424, Wednesday, March 31, 1943, 2:00 p.m.

(Signed) Foster, Chairman

Approved by the Governor

March 24, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 179 L. B. 170

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 426. The Committee recommended that the bill be re-referred to another committee for the reason that the Judiciary Committee has finished its regular hearings and is now engaged in reading the revision of the statutes, which the committee feels is very important and which will require the full time of this committee. The committee also feels that the subject matter of this bill is not one for the Judiciary Committee to consider.

LEGISLATIVE BILL 275. Indefinitely postponed.

LEGISLATIVE BILL 18. Indefinitely postponed.

LEGISLATIVE BILL 363. Placed on General File with amendments.

Standing Committee amendments to L. B. 363:

1. Amend the bill, section 1, line 152, by adding after the word and punctuation "**accountants.**" the following: "**The order of the court authorizing or approving investment of funds in the securities of the class herein authorized may be made upon such notice and to such of the interested beneficiaries as the court in its discretion may direct; or in the discretion of the court the order may be made without any notice.**"

LEGISLATIVE BILL 318. Placed on General File with amendments.

Standing Committee amendments to L. B. 318:

1. Amend the bill, section 1, by striking all of the matter in line 7 after the word "**hospital**" and all of line 8 up to and including the word "**and**".

2. Amend the bill, section 1, line 10, by inserting the words "**of insanity**" after the word "commissioners" and before the word "shall".

(Signed) Gantz, Chairman

Public Works

LEGISLATIVE BILL 253. Placed on General File with amendments.

Standing Committee amendments to L. B. 253:

1. Amend the bill, page 2, section 1, lines 13 and 14, by inserting after the word "taken" the following words and punctuation:

"in the manner and subject to the conditions and limitations provided in section 46-617, Compiled Statutes of Nebraska, 1929, as amended by section 2 of this act,"

2. Amend the bill, page 2, by adding after the present section 1 a new section, numbered "2" and reading as follows:

"Sec. 2. That section 46-617, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

46-617. (1) Every person intending to construct and maintain a storage reservoir for irrigation or any other useful purpose, shall make an application to the **Department of Roads and Irrigation** upon a form prescribed and furnished to the applicant without cost. Such application shall be filed and proceedings had thereunder in the same manner and under the same rules and regulations as other applications. Upon the approval of such application the applicant shall have the right to impound all waters not otherwise appropriated and any appropriated water not needed for immediate use, to construct and maintain necessary ditches for the purpose of conducting water to such storage reservoir, and to condemn land for such reservoir and ditches in the same manner as is provided by law for the condemnation of rights of way for other ditches. The owner of such storage reservoir shall be liable for all damages arising from leakage or overflow of the water therefrom, or from the breaking of the embankment of such reservoir. The owners or possessors of reservoirs shall not have the right to impound any water whatever in such reservoirs during the time that such water is required in ditches for direct irrigation or for reservoirs holding senior rights. Whenever any person shall divert water from a public stream and return it into the same stream, he may take out the same amount of water, less a reasonable deduction for seepage and evaporation to be determined by the department providing no prior appropriator for beneficial use shall be prejudiced by such diversion.

(2) After the completion of such storage reservoir to the satisfaction of the department any person, proposing to apply to beneficial use the water stored shall file with the department an application for a permit, particularly describing the use to which the water is to be applied and, if for irrigation, a description of the land to be irrigated, **and whether it is proposed to irrigate lands within or without the basin from which the stored water was originally taken.**

(3) **If the application seeks only to use such stored water to irrigate lands within the basin from which the water was originally taken, such application shall be filed and proceedings had thereunder in the same manner and under the same rules and regulations as for an appropriation of water from a stream.** The owner of such storage reservoir shall have a preferred right to make such application for a period of six months from the time limited for the completion of such reservoir. The day of expiration of such period shall be endorsed upon the application when allowed. If made by any other than such owner or owners ~~prior to the expiration of such time~~, the same shall not be approved by the department until the applicant shall show by documentary evidence that he has acquired a sufficient interest in such storage reservoir to entitle him to enough water for the purpose set forth in said application. No appropriation of stored water for irrigation shall exceed three acre feet during any calendar year for each acre of land for which said appropriation may be made.

(4) **If the application seeks to use such stored water to irrigate lands outside of the basin from which the stored water was originally**

taken, the following procedure shall be had: When such application is made, the Department of Roads and Irrigation shall set a date for hearing upon the application not less than sixty days nor more than ninety days from the date of filing thereof, and shall immediately give notice of such hearing by publication in a legal newspaper of general circulation in the State of Nebraska in one issue each week during three consecutive weeks. All persons desiring to use the water stored in such reservoir for irrigation of lands located within the basin shall, at least thirty days before the date of hearing, file with the department an application for a permit to use such water, setting forth in such application a description of the land to be irrigated, the manner and method by which the water is to be withdrawn from the reservoir and carried to the lands to be irrigated, and such other matters as will disclose that the stored water can and will be applied to a beneficial use. With the application shall be filed documentary evidence that the person or persons filing such application have acquired a sufficient interest in such storage reservoir and incidental facilities to entitle applicant to enough water for the purpose set forth in the application, or a statement that an agreement cannot be reached with the owner or owners of the reservoirs which will entitle the applicant to such an amount of water and a request that the department determine the terms and conditions upon which the owner or owners of such storage reservoir shall supply the water to the applicant. At the hearing, the department shall determine the reasonable and necessary amount of water that may be applied to a beneficial use to irrigate the lands within the basin covered by the application or applications filed, and shall enter an order fixing and adjudicating the amount of water which may be withdrawn from the reservoir for such purpose, the lands to which the same may be applied, the time within which the appropriation shall be completed through construction of works to carry the water from the reservoir to the land and application of the water to a beneficial use, and the equitable portion of the cost of construction and maintenance of the reservoir and incidental facilities to be paid by the party or parties desiring to use the stored water therefrom within the basin and the terms upon which payment shall be made. The water rights thus granted for use of stored water to irrigate lands within the basin from which originally taken shall be a prior claim on the water stored in the reservoir, shall be prior and superior to any rights allowed for irrigation purposes of lands outside of the basin, and the amount of water found by the department that may be applied to a beneficial use to irrigate lands within the basin of the stream shall not be diverted from the reservoir for any other purpose. If the quantity of water stored in the reservoir under the authority of a permit issued by the Department of Roads and Irrigation is not exhausted by the amount appropriated for use upon land situated in the basin from which taken, the department shall grant an application for a permit to appropriate the water which may be in the reservoir for use on

land outside of the basin as to any surplus not needed to meet the allowance made to irrigate land within the basin. Except as herein otherwise provided, the law governing applications for and allowances of appropriations from natural streams shall govern the applications for and allowances of appropriations for water stored in reservoirs, and orders entered by the department shall contain the usual provisions contained in an order allowing an appropriation from a stream. Any party feeling himself aggrieved by the orders of the department may appeal therefrom to the Supreme Court of Nebraska in the same manner as appeals are now taken to that court from orders of the department allowing water rights.

(5) A reservoir constructed for the purpose of holding water back and raising it in order that it may be applied to lands of a higher level or given a greater head for power, shall not be considered a storage reservoir, but such reservoir together with the diverting or impounding dam, must be described in an application for flowing water when water is to be raised, in order to perfect the appropriation."

3. Amend the bill, page 2, by striking the present section 2, and adding a new section, numbered "3", and reading as follows:

"Sec. 3. That original sections 46-620 and 46-617, Compiled Statutes of Nebraska, 1929, are repealed."

4. Amend the title, line 1, by striking the word "section" and inserting in lieu thereof the following:

"sections 46-617 and"

5. Amend the title, line 11, by striking all of the same and inserting in lieu thereof:

"taken when application for such use has been approved by the Department of Roads and Irrigation, and subject to the conditions and limitations imposed by this act; to provide the procedure for the allowance of applications to use water stored in such reservoir when it is sought to take water therefrom for use in irrigating lands outside the basin of the stream from which such water was originally taken; and to repeal the original sections."

LEGISLATIVE BILL 10. Indefinitely postponed.

(Signed) Mischke, Chairman

Judiciary

LEGISLATIVE BILL 361. Placed on General File with amendments.

Standing Committee amendments to L. B. 361:

1. Amend the bill by striking all of sections 1, 2, 3, 4 and 5, and substituting in lieu thereof the following:

"Section 1. Any justice of the supreme court or judge of the district court who shall have first served the periods set forth in this section, and who shall elect to retire from active service, shall be paid a pension during the remainder of his life, as follows: After eighteen years of service a sum equal to one-third of the amount of the salary he is receiving at the time of his retirement; after twenty-four years of service a sum equal to one-half of the salary he is receiving at the time of his retirement; and after thirty years of service a sum equal to two-thirds of the salary he is receiving at the time of his retirement.

Sec. 2. The years of service referred to in this act shall be computed in the aggregate and need not be consecutive years of service. Years of service on the supreme and district courts in this state shall be counted in computing the time of service required by this act for the retirement of any district or supreme court judge.

Sec. 3. Retirement shall be had by written application with the Clerk of the Supreme Court for any district or supreme court judge. Pensions shall be paid from a fund known as the judges retirement fund. Said fund shall consist of all cash, securities or other assets paid into it in accordance with the following provisions:

(a) From and after the effective date of this act, the State Treasurer shall at the end of each month ascertain the aggregate amount of the salaries of all the justices of the supreme court and all judges of the district court who have declared their intentions in writing to accept all the provisions of this act, and out of the moneys in the State Treasury not otherwise appropriated there shall be paid monthly into the said judges retirement fund a sum equal to three per centum of one-twelfth of said aggregate amount of salaries, and the State Treasurer shall thereupon transfer said required sum from the general fund of the state to the said judges retirement fund.

(b) From and after the effective date of this act, the State Treasurer shall at the end of each month deduct three per centum from the monthly salary of each justice of the supreme court and each judge of the district court who have declared their intentions to accept all the provisions of this act, and shall cause the same to be paid into the judges retirement fund.

(c) Should any justice or any judge of the said courts die, resign, or cease to be a justice or judge of any of the said courts prior to the time he shall have been retired as provided by this act, the amount of his personal accumulated contribution shall be paid to him or to his estate.

(d) The State Treasurer shall have the authority to invest the moneys contained in said judges retirement fund in securities of the United States or the State of Nebraska.

(e) The State Treasurer shall be the custodian of the judges pension funds. From and after the effective date of this act, these officials shall at the end of each month ascertain the written notices of voluntary retirement and the written certificates of involuntary retirement which shall have been filed with the Secretary of State, as required by law, and shall require warrants to be drawn upon the state treasury in favor of each retired justice or judge for the amount of the retirement allowance to which he shall be entitled.

(f) All expenses of the administration of this act shall be a charge on the judges pension funds.

(g) No payment of compensation shall be made from the funds at any time which would reduce the balance therein to a figure below $1000.00.

Sec. 4. Whenever a judge of the supreme court or district court shall retire and be pensioned, as provided in this act, his successor shall be appointed as otherwise provided by law, to fill the unexpired term of office of the retired judge.

Sec. 5. No justice or judge drawing compensation under the provisions of this act shall engage in the practice of law or hold any remunerative public office.

Sec. 6. This act shall not apply to any judge or justice during any unexpired term to which he shall have been elected or appointed at the time this act takes effect, or to any judge or justice who may hereafter be elected or appointed for a term that has not expired when this act takes effect, unless he shall within sixty days after this act takes effect, or within sixty days after his appointment, file with the State Treasurer a written notice and declaration that he desires to take advantage of this act and consents that three per centum of his monthly salary may thereafter from a specific date be deducted from any salary payable to him from the state treasury; and from and after the specific date he files such election he shall be entitled to the benefits of this act, if otherwise qualified.

Sec. 7. Should the courts declare any section or part of section of this act unconstitutional or unauthorized by law, such decision shall affect only the section or part so declared to be unconstitutional and shall not affect any other section or part of the act."

2. Amend the title by striking all of the title after the word "BILL" and substituting the following in lieu thereof:

"FOR AN ACT relating to courts; to provide for the retirement of judges of the district and supreme courts; fixing the amount of their retirement pay; providing funds thereof; making appropriations; and regulating activities of retired justices and judges."

LEGISLATIVE BILL 299. Placed on General File with amendments.

Standing Committee amendments to L. B. 299:

1. Amend the bill, section 1, by striking after the word "having" in line 14 the words "derived title to any real" and by striking all of lines 15, 16, 17, 18 and 19 and the word and punctuation "**co-owner,**" in line 20, and by inserting in lieu thereof the words "**a present interest in any land of which the deceased died seized in fee or of any interest therein**".

2. Amend the title by striking all of lines 6, 7, 8, 9 and the word "owner" in line 10, and inserting in lieu thereof the words "heir of the deceased or other person having a present interest in any land of which the deceased died seized in fee or of any interest therein".

(Signed) Gantz, Chairman

Government

LEGISLATIVE BILL 11. Indefinitely postponed.

LEGISLATIVE BILL 420. Placed on General File with amendments.

Standing Committee amendments to L. B. 420:

1. Amend page 2 of the bill, section 2, line 7, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the word "thirteen" and inserting in lieu thereof the word "fourteen".

2. Amend page 3 of the bill, section 2, line 12, by inserting after the punctuation following the word "sheriff" the words "to be fixed in the discretion of the county board in", and by inserting after the word "of" the words "not over".

3. Amend page 3 of the bill, section 2, line 13, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the words "such per diem as may be fixed by the county board".

4. Amend page 3 of the bill, section 2, line 14, by inserting after the punctuation following the word "clerk" the words "not to exceed".

5. Amend page 3 of the bill, section 2, line 15, by inserting after the punctuation following the word "treasurer" the words "not to exceed".

6. Amend page 3 of the bill, section 3, line 7, by inserting after the punctuation following the word "superintendent" the words "not less than".

7. Amend page 3 of the bill, section 3, lines 7 and 8, by striking the words "fourteen hundred" and inserting in lieu thereof the words "fifteen hundred fifty".

8. Amend page 3 of the bill, section 3, lines 10 and 11, by striking all of the same.

9. Amend page 3 of the bill, section 3, line 14, by inserting after the punctuation following the word "sheriff" the words "to be fixed in the discretion of the county board in", and also by striking the word "twelve" and inserting in lieu thereof the words "not over thirteen".

10. Amend page 3 of the bill, section 3, line 15, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the words "such per diem as may be fixed by the county board".

11. Amend page 3 of the bill, section 3, line 16, by inserting after the punctuation following the word "clerk" the words "not to exceed".

12. Amend page 3 of the bill, section 3, line 17, by inserting after the punctuation following the word "treasurer" the words "not to exceed".

13. Amend page 4 of the bill, section 4, line 9, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the word "fifteen" and inserting in lieu thereof the word "nineteen".

14. Amend page 4 of the bill, section 4, line 10, by striking the words "and fifty".

15. Amend page 4 of the bill, section 4, line 11, by striking all of the same.

16. Amend page 4 of the bill, section 4, line 15, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the words "such per diem as may be fixed by the county board".

17. Amend page 4 of the bill, section 4, by striking all of lines 16 and 17.

18. Amend page 4 of the bill, section 4, line 18, by striking the word "fourteen" and inserting in lieu thereof the word "fifteen".

19. Amend page 4 of the bill, section 4, line 19, by striking the word "fourteen" and inserting in lieu thereof the word "fifteen".

20. Amend page 4 of the bill, section 5, line 11, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the word "seventeen" and inserting in lieu thereof the words "twenty-one".

21. Amend page 4 of the bill, section 5, line 13, by striking all of the same.

22. Amend page 4 of the bill, section 5, line 17, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the words "such per diem as may be fixed by the county board".

23. Amend page 4 of the bill, section 5, lines 18 and 19, by striking all of the same.

24. Amend page 5 of the bill, section 6, line 7, by striking the word "seventeen" and inserting in lieu thereof the word "eighteen".

25. Amend page 5 of the bill, section 6, line 8, by striking the word "fifty".

26. Amend page 5 of the bill, section 6, line 11, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the words "two thousand" and inserting in lieu thereof the words "twenty-four hundred".

27. Amend page 5 of the bill, section 6, line 18, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the words "such per diem as may be fixed by the county board".

28. Amend page 6 of the bill, section 7, line 9, by inserting after the word "hundred" the word "fifty".

29. Amend page 6 of the bill, section 7, line 10, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the words "twenty-four" and inserting in lieu thereof the words "twenty-six".

30. Amend page 6 of the bill, section 7, line 17, by striking all of the same after the punctuation following the word "surveyor" and inserting in lieu thereof the following: "such per diem as may be fixed by the county board".

31. Amend page 6 of the bill, section 8, line 7, by striking the word "fourteen" and inserting in lieu thereof the word "fifteen".

32. Amend page 6 of the bill, section 8, line 8, by striking the words "forty-two hundred" and inserting in lieu thereof the words "four thousand".

33. Amend page 6 of the bill, section 8, line 10, by striking the word "thirty-four" and inserting in lieu thereof the word "thirty-two".

34. Amend page 6 of the bill, section 8, line 11, by inserting after the punctuation following the word "superintendent" the words "not less than", and by inserting after the word "hundred" the word "fifty".

35. Amend page 6 of the bill, section 8, line 12, by inserting after the word "hundred" the word "fifty".

36. Amend page 6 of the bill, section 8, line 15, by striking the words "three thousand" and inserting in lieu thereof the words "thirty-two hundred".

37. Amend page 7 of the bill, section 8, line 17, by striking the words "twenty-eight hundred" and inserting in lieu thereof the words "three thousand".

38. Amend page 7 of the bill, section 8, line 22, by striking the words "twenty-one hundred" and inserting in lieu thereof the words "two thousand".

39. Amend page 7 of the bill, section 8, by adding a new line number 29 reading as follows: "deputy county assessor, the sum of eighteen hundred dollars".

40. Amend page 7 of the bill, section 9, line 10, by inserting after the punctuation following the word "superintendent" the words "not less than", and also by striking the words "three thousand" and inserting in lieu thereof the words "thirty-five hundred".

41. Amend page 23 of the bill, section 24, line 2, by inserting immediately before the word "office" the word "elective".

42. Amend page 23 of the bill by striking all of section 25.

(Signed) Doyle, Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 108. Indefinitely postponed.

LEGISLATIVE BILL 243. Indefinitely postponed.

LEGISLATIVE BILL 164. Indefinitely postponed.

LEGISLATIVE BILL 231. Placed on General File.

LEGISLATIVE BILL 390. Placed on General File.

(Signed) Foster, Chairman

Labor and Public Welfare

LEGISLATIVE BILL 330. Placed on General File.

LEGISLATIVE BILL 290. Placed on General File with amendments.

Standing Committee amendments to L. B. 290:

1. Amend section 3, page 2, line 4, of the printed bill, by inserting after the word "annually" the following words: "the buildings more than two stories high".

LEGISLATIVE BILL 277. Placed on General File.

LEGISLATIVE BILL 263. Placed on General File.

LEGISLATIVE BILL 219. Placed on General File with amendments.

Standing Committee amendments to L. B. 219:

Amend the bill by striking therefrom section 12 and renumbering sections 13 and 14 as 12 and 13.

(Signed) Craven, Chairman

ENROLLMENT AND REVIEW

LEGISLATIVE BILL 174. Placed on Select File with amendments.

E and R amendments to L. B. 174:

1. In Standing Committee amendment No. 2 strike the insertion to be made, and in lieu thereof, insert: "~~one~~ **two**", and in amendment No. 5, strike the new matter to be inserted, and in lieu thereof, insert: "~~twenty~~ **thirty**".

2. In the bill, Section 1, page 2, line 5, strike the word "and", and in lieu thereof, insert the word "~~and~~"; lines 8 and 9, strike: "quillback, suckers, gars, minnows," and in lieu thereof, insert: "~~quillback, suckers, gars,~~ **gar, minnow, quillback, sucker,**"; strike lines 10 and 11, and in lieu thereof, insert: "include all ~~buffalo, deer, antelope, elk, squirrels, cottontail rabbits, opossums and raccoons~~ **antelopes, buffalos, cottontail rabbits, deer, elk, opossums, raccoons and squirrels;** the term".

3. In the bill, Section 1, page 2, strike "beaver, muskrat," in line 12, all of line 13 and "skunk" in line 14, and in lieu thereof, insert: "~~beaver, muskrat, mink, otter, fox, opossum, raccoon, badger, martens, and skunk~~ **badgers, beavers, foxes, martens, minks, muskrat, opossums, otters, raccoons and skunks**"; strike lines 15, 16 and 17, and in lieu thereof, insert:

"water fowl, ~~ducks, geese, snipe, cranes, swans, coot, quail, plover, pheasants, grouse, prairie chickens, wild turkey, curlew, dove and~~

~~partridge~~ **coots, cranes, curlew, doves, ducks, geese, grouse, partridges, pheasants, plovers, prairie chickens, quail, snipes, swans and wild turkeys** ; the words "herein" ". .

4. In the bill, Section 1, page 2, lines 19 and 20, strike: ", "licensee", means" and in lieu thereof, insert: "**,** **and** "licensee" **,** ~~means~~ **mean and include**"; line 26, strike the punctuation "," after the word "sale", and in lieu thereof, insert: "**,** **or**"; line 27, strike: "or game," and in lieu thereof, insert: "~~or~~ , game**,** **or**"; line 30, strike: "every part of such fish or game," and in lieu thereof, insert: "~~every~~ **any** part of such fish ~~or~~ , game**,** **or**".

5. In the bill, Section 2, page 3, strike all of lines 7 and 8, and in lieu thereof, insert: "forth ~~his~~ occupation, age ~~and the~~, color of ~~his~~ eyes and hair, ~~his~~ height**,** and weight, ~~with~~ **and** the date of its"; lines 9 and 10, strike: "or facsimile thereof", and in lieu thereof, insert: "~~or facsimile thereof~~", and after the word "commission" and before the punctuation "." at the end of line 10, insert: "**or a facsimile of such signature**"; line 11, strike the word "permits", and in lieu thereof, insert: "~~permits~~", and after the word "issued" insert the word "**permits**"; line 24, strike: "and any" and in lieu thereof insert: "~~and any~~ . **Any**".

6. In the bill, Section 3, page 3, line 3, insert "**.**" after "~~(A)~~"; line 4, strike the word "There" at the beginning of the line, and in lieu thereof, insert: "~~there~~ **There**"; page 4, line 10, strike the word "**beaver**" and in lieu thereof, insert the word "**beavers**"; line 11, strike: "**seal per**", and in lieu thereof, insert: "**for each seal on each**"; line 16, strike the word "amounts" and in lieu thereof, insert: "~~amount~~ **amounts**"; line 18, strike: "amounts as follows: for fishing" and in lieu thereof, insert: "**the following** amounts ~~as follows~~ : ~~for fishing~~ **Fishing**"; line 19, strike the word "for" before "hunting" and also before "trapping", and in lieu thereof, insert in each place the word "~~for~~"; line 26, strike the word "unless" and in lieu thereof, insert: "~~unless~~ , **except**"; line 29, after the word "making" insert the word "**an**"; line 31, strike the word "such" at the end of the line, and in lieu thereof, insert: "~~such~~ **to be a**".

7. In the bill, Section 4, page 5, line 4, strike the word "or" after the word "act", and in lieu thereof, insert: "**,** ~~or~~"; line 5, strike the word "and" after the word "permits", and in lieu thereof, insert: "**,** ~~and~~"; line 7, strike the word "moneys" and in lieu thereof, insert: "~~moneys~~ **money**"; strike line 8 and "and permits" in line 9, and in lieu thereof, insert: "state game fund ~~and all moneys from State Park Concessions and permits~~"; line 10, strike: "and shall be used" and in lieu thereof, insert: "~~and shall be used~~"; line 13, strike the punctua-

tion “;” after the word “therefore” and in lieu thereof, insert “;”; line 15, insert “,” after and before “~~and expended~~”, same being in the present statute; line 16, strike “,” after “~~purposes~~” and insert “;”, and strike: “**moneys derived from**” and in lieu thereof, insert: “**the money derived from the**”.

8. In the bill, Section 5, page 6, line 5, strike: “and in accordance with”, and in lieu thereof, insert: “, ~~and in accordance with~~”; line 7, strike the word “seasons”, and in lieu thereof, insert “~~seasons~~”; line 10, strike the word “or” after the word “kinds”, and in lieu thereof, insert: “~~or~~ ,”; line 18, strike the word “practiced” and in lieu thereof, insert: “~~practices~~ **practiced**”; strike lines 33, 34 and 35, and in lieu thereof, insert:

“order . ~~and~~ **These officers** shall **each** immediately ~~be posted by each sheriff and each clerk receiving~~ **post** such copy in a conspicuous place in **his or her** ~~the~~ office ~~of each such clerk and sheriff.~~ A copy of” .

9. In the bill, Section 5, page 7, line 36, strike the word “or” after “modification”, and in lieu thereof, insert: “~~or~~ **and**”; line 45, strike the word “or” before “Mongolian” and in lieu thereof, insert: “~~or~~ ,”; strike the word “so” at the end of line 48, and in lieu thereof, insert: “~~so~~”; line 49, after the word “do” insert the word “**so**”, and strike “to him” and in lieu thereof insert: “~~to him~~”; line 51, after the word “such” insert the word “**as**”; line 52, strike: “actions,” and in lieu thereof insert: “~~actions,~~ **action,** ”.

10. In the bill, Section 6, page 7, line 10, after the word “his” and before the word “possession”, insert: “**or her**”; page 8, line 15, strike the word “beaver” and in lieu thereof, insert: “~~beaver~~ **beavers**”; line 17, strike: “upon application in writing, and”, and in lieu thereof, insert: “**,** upon **an** application in writing, and **a**”; line 21, insert the word “**thereof**” after the word “control”; line 24, strike: “beaver or” and in lieu thereof, insert: “~~beaver or~~ **beavers and**”; strike the word “beaver” and in lieu thereof, insert: “~~beaver~~ **beavers**” in the following lines: 21, 27, 28, 34 and 37; lines 30 and 31, strike: “beaver, and, accompanying said report, said”, and in lieu thereof, insert: “**beavers.** ~~beaver, and, accompanying said report, said~~ **The**” and at the end of line 31, insert: “**with said report**”; line 40, strike the comma and quotation mark after the word “Commission”, and in lieu thereof, insert: “;” , ”.

11. In the bill, Section 7, page 9, line 8, after the word “his” insert: “**or her**”; line 17, strike the word “and”, and in lieu thereof insert: “~~and~~”; line 28, strike: “his attention” and in lieu thereof, insert: “~~his~~ **the** attention **of such inspector**”; line 29, strike: “his duties as”, and in lieu thereof, insert: “~~his~~ **the** duties ~~as~~ **of**”.

12. In the bill, Section 8, page 9, line 6, strike the word "or" before the word "destroy", and in lieu thereof, insert: "~~or~~ ,"; line 7, strike: "possession," and in lieu thereof, insert: "**or her** possession~~,~~"; line 8, strike the word "any" and in lieu thereof insert the word "~~any,~~".

13. In the bill, Section 8, page 10, line 14, after the word "in" insert: "**his or her**"; line 18, strike: "and any" at the end of the line, and in lieu thereof, insert: "~~and any~~ **. Any**"; line 20, strike the word "or" before the word "attempt", and in lieu thereof, insert "~~or~~"; strike "animal", at the end of line 21, and in lieu thereof, insert: "~~animals,~~ **animal**"; line 22, strike: "who shall", and in lieu thereof insert: "~~who shall~~"; strike the word "one" at the beginning of line 26, and in lieu thereof, insert: "~~one~~ **person**"; line 27, strike the word "or" before the word "attempt" and in lieu thereof, insert "~~or~~"; line 30, strike the word "no" after the word "fined" and in lieu thereof, insert the word "not" (as shown in the statute); line 35, strike the word "himself", and in lieu thereof, insert: "~~himself~~ **such person**".

14. In the bill, Section 9, page 10, line 5, strike the word "or" before the word "who", and in lieu thereof, insert "~~or~~"; page 11, line 6, strike the word "or" after the word "sanctuary", and in lieu thereof, insert: "~~or~~,"; line 7, strike the word "or" before the word "permits", and insert, in lieu thereof, the words "~~or~~ **who**"; line 9, strike the word "or" before the word "otherwise", and in lieu thereof, insert: "~~or~~ **, who**"; line 11, strike the word "or" (reinserted by Standing Committee amendment No. 8) after the word "sanctuary", and in lieu thereof, insert: "~~or~~ **,**".

15. In the bill, Section 10, page 11, line 5, strike the word "birds" after the word "game", and in lieu thereof, insert the word "~~birds~~"; line 6, strike the word "or" before the word "to", and in lieu thereof insert "~~or~~"; page 12, line 10, strike the word "preserve", and in lieu thereof, insert: "~~preserve~~ **reserve**".

16. In the bill, Section 11, page 12, line 6, strike the word "or" at the end of the line, and in lieu thereof, insert: "~~or~~ **,**"; line 10, strike the word "or" after the word "**pistol**", and in lieu thereof, insert the punctuation ",", and strike the word "or" before the word "swivelgun", and in lieu thereof insert "~~or~~"; line 14, strike the word "or" after the word "nests", and in lieu thereof, insert: "~~of~~ **or**"; in lines 16 and 19, after the word "game", insert the words "**bird or**"; line 18, strike the word "or" at the end of the line, the same word being repeated at the beginning of line 19; line 21, strike the word "or" after "take," and in lieu thereof, insert "~~or~~"; line 23, insert the word "a" after the word "upon".

17. In the bill, Section 12, page 13, line 3, after "(1)" and line 5, after "(2)", strike the word "to", and in lieu thereof, insert: "~~To~~ **to**";

strike the word "to" at the beginning of line 8, and insert: "~~To~~ **to**"; strike the word "for" at the end of line 10, and in lieu thereof, insert: "~~For~~ **for**"; strike all of line 12, and in lieu thereof, insert: "or barter, ~~or~~ offer to buy, sell, or barter, or have in **his or her**"; line 14, strike the word "In" and in lieu thereof, insert: "~~In~~ **in**"; line 15, strike the word "minnow" and in lieu thereof, insert: "~~minnow~~ **minnows**"; lines 21 and 22, strike: "**the commission, which**" and in lieu thereof insert the word "**and**".

18. In the bill, Section 13, page 13, line 4, strike the word "and" at the end of the line, and in lieu thereof, insert: "~~and~~ ,"; page 14, line 18, insert the word "**the**" at the end of the line; line 24, strike the word "shall" and in lieu thereof insert the word "~~shall~~"; line 26, strike the words "and a", at the beginning of the line, and in lieu thereof, insert: "~~and a~~ . **A**"; line 29, after the word "be" and before the word "accompanied", insert: "**consigned to and**"; line 30, strike: ", and be consigned to shipper", and in lieu thereof, insert: "~~, and be consigned to shipper~~".

19. In the bill, Section 14, page 14, line 4, after the word "of" and before the word "rules", insert the word "the"; line 8, strike the word "or" before the word "be".

20. In the bill, strike the punctuation "," and in lieu thereof, insert ";" in the following places: Section 1, page 2, line 6, after "game birds"; Section 2, page 3, line 12, after "kill"; Section 3, page 4, line 20, after "animals"; line 21, after "dollars"; Section 5, page 6, line 25, after "available"; line 27, after "modification"; Section 6, page 7, line 4, after "take"; page 8, line 35, after "issuance"; Section 7, page 9, line 18, after "time"; line 25, after "inspector" and before "and"; Section 8, page 9, line 5, after "trap"; line 6, after "trap" and also after "destroy"; line 8, after "turkey"; page 10, line 13, after "kill" and before "or", and also after "destroy"; and also after "trap", at the end of the line; line 14, after "destroy" and also after "possession"; line 16, after "crane"; lines 19 and 20, after "kill"; line 26, after "take"; line 27, after "trap" and also after "destroy", near the end of the line; Section 9, page 11, line 25, after "wolves"; line 30, after "it"; Section 10, page 11, line 4, after "capture"; line 5, after "dogs"; Section 11, page 12, line 8, after "gas"; line 12, after "net" and also after "snare" at the end of the line; line 17, after "hunted"; line 22, after "traps"; Section 12, page 13, line 11, after "sell"; line 13, after "possession"; line 17, after "taken"; Section 13, page 13, line 3, after "line"; line 7, after "state"; page 14, line 12, after "carrier".

21. In the bill, insert the punctuation "," in the following places: Section 2, page 3, line 6, after "issued"; line 12, after "fish"; line 13, after "manner"; line 21, after "holder"; Section 3, page 3, line 4, after "state"; line 5, after "act"; page 4, line 12, after "**season**"; line 31,

after "state"; Section 4, page 5, line 3, after "permits"; Section 5, page 6, line 22, after "repealed" and also before "subject"; line 30, after "county"; line 31, after "thereby"; Section 6, page 7, line 8, before "as"; line 9, after "one"; line 10, after "permit" and also after "possession"; line 11, after "thereon"; line 14, after "fish"; page 8, line 38, after "stamped"; Section 7, page 8, line 3, after "fish" and also after "act"; page 9, line 7, after "purposes"; line 20, after "fish"; line 21, after "commission"; line 26, after "state"; Section 8, page 9, line 3, after "shall"; line 8, after "shall"; line 9, after "conviction"; page 10, line 11, after "time"; line 16, after "shall" and also after "conviction"; line 23, after "fur"; line 24, after "commission"; line 26, after "shall"; and also after "act"; line 33, after "farm" and also after "state"; line 36, after "permits"; line 37, after "state"; Section 9, page 10, line 4, after "commission"; page 11, line 15, after "Commission"; line 16, after "law"; line 19, after "Provided"; line 20, after "homes"; line 21, after "act"; Section 12, page 13, line 4, after "minnows"; line 11, after "person" and also after "breeder"; line 16, after "fish"; Section 13, page 13, line 7, after "receive"; line 8, after "state"; line 10, after "act" and also after "permitted"; page 14, line 15, after "act"; line 18, after "tagged"; line 19, after "commission"; line 34, after "fish" and line 35, after "section".

22. Insert the punctuation "," in the bill, Section 14, page 14, line 4, after "regulations"; line 7, after "and"; strike the punctuation "," in line 7, after "misdemeanor" and in line 9, after "days".

23. In the bill, title, page 1, 10th line, after the punctuation ";" and before the word "to prescribe", insert the following: "to reallocate an amount equal to certain money derived from state park concessions to said parks;".

Presented to Governor for Approval

Thursday, March 25, 1943 at 9:30 a.m.

L. B. 154 L. B. 116

Correctly Engrossed

L. B. 97 L. B. 201

Correctly Enrolled

L. B. 177 L. B. 69
L. B. 165 L. B. 41 L. B. 40

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 177
L. B. 69
L. B. 165
L. B. 41
L. B. 40

Re-referred to Standing Committee

LEGISLATIVE BILL 426. Re-referred to Committee on Public Health and Miscellaneous Subjects.

RESOLUTIONS

LEGISLATIVE RESOLUTION 14. Referred to Committee on Appropriations.

BILLS ON THIRD READING

LEGISLATIVE BILL 141. Mr. Greenamyre asked that unanimous consent be granted to refer the bill to Select File for the following Specific Amendment:

1. Amend page 2 of the bill, section 1, line 3, by striking the word "seven" and inserting in lieu thereof the following: "two thousand dollars and from the general fund the sum of five".

2. Amend page 2 of the bill, section 1, lines 8 to 14, by striking all of the same and inserting in lieu thereof the words: "warrants upon the chemurgy fund and general fund in the respective amounts above set forth."

3. Amend page 2 of the bill, by striking all of section 2.

4. Amend page 2 of the bill by striking the number to section numbered "3" and inserting in lieu thereof the figure "2".

5. Amend the title, lines 3 to 22, by striking the word "seven" in line 3, and all of lines 4 to 22, inclusive, and substituting in lieu thereof the following: "two thousand dollars from the chemurgy fund and five thousand four hundred eighty-eight dollars and twenty-seven cents from the general fund be appropriated and transferred to the State Real Estate Commission Fund, designated as account sixty-five in the office of the Auditor of Public Accounts; and to declare an emergency."

No objection was offered. So ordered.

Referred to Select File for specific amendment.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 232. With emergency clause.

A bill for an act to amend section 68-284, C. S. Supp., 1941, relating to per capita tax for old age assistance; providing that, on and after March 1, 1945, such per capita tax of two dollars shall be levied upon every male and female inhabitant of this state who is twenty-one years of age or older, but who has not yet attained the age of fifty years and who is sane and not a public charge, as a poor person or recipient of blind assistance in the manner, with the procedure and for the purposes designated; providing that, until March 1, 1945, such per capita tax of three dollars shall be so levied upon all such persons who are twenty-one years of age or older, but who have not yet attained the age of sixty-six years, for the same purposes, in the same manner and with the same procedure; to provide that a recipient of blind assistance shall not be subject to such tax; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Weborg

Voting in the negative, 6:

Asimus
Gutoski
Neubauer
Osborne
Sorrell
Tvrdik

Not voting, 2:

Hanna
Mekota

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 82. With emergency clause.

A bill for an act to amend sections 20-1601, 20-1608, 20-1636 and 22-903, C. S. Supp., 1941, and 21-903, Compiled Statutes of Nebraska, 1929, relating to jurors; changing the maximum age of jurors from sixty-five to seventy years; to remove the requirement that jurors shall be men; to require that, before women may serve as jurors in the district court in any county, the presiding district judge shall be required to certify that the accommodations and facilities of the courthouse of such county are such as to permit the service of women as jurors; to provide that jury service shall be compulsory with women, unless excused for good cause shown; to provide the manner in which women may be excused from jury service without reporting in person for jury duty; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mischke
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 7:

Craven
Gantz
Hubka
Matzke
Mueller
Neubauer
Weborg

Not voting, 2:

Hanna
Mekota

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Explanation of Vote

Mr. President: I vote "no" on L. B. 82 because it makes jury service optional with women. If women have equal rights with men as to jury service, they should assume equal responsibilities.

(Signed) Craven

Mr. President: I vote "no" on L. B. 82 for following reasons:

1. Impractical in most counties at present time, and will require considerable expenditure to put in operation.

2. No popular or general demand.

3. Unfair to district judge in having to decide when facilities adequate.

4. Present law requiring juries in criminal cases to be held intact has not been amended to provide for women jurors.

(Signed) Gantz

SELECT FILE

LEGISLATIVE BILL 215. Mr. Thompson moved that the rules be suspended and that L. B. 215 be considered at once on Select File.

The motion was lost with 28 ayes, no nays, 15 not voting.

LEGISLATIVE BILL 221. E and R amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted.

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

Amend page 1 of the amended bill, section 2, lines 8 to 11, by striking the words "except that it shall be" in line 8, and all of lines 9, 10 and 11, and substituting the following in lieu thereof: "where such purchases are made through a recognized and established purchasing agent or purchasing department maintained by any such institution, in quantity lots and after competitive bidding, but all other purchases shall be made through the purchasing agent as provided in this act;".

Referred to E and R for engrossment.

LEGISLATIVE BILL 141. Mr. Raecke asked that unanimous consent be granted to lay the bill over.

No objection was offered. So ordered.

GENERAL FILE

Speaker Crosby presiding

LEGISLATIVE BILL 100. Mr. Lee offered the following amendment, which was adopted with 20 ayes, 6 nays, 17 not voting.

Amend Section 6 by striking from lines 2 and 3 the words "include leaseholds and all other interests in real estate as well as" and inserting in lieu thereof the words "be limited to".

Mr. Greenamyre offered the following amendments which were adopted:

Amend the bill by adding at the end of Section 3: "The office of the Commission shall be maintained in the office of the Secretary of State in the capitol building at Lincoln, and all files, records and property of the Commission shall at all times be and remain therein."

Amend by striking lines 6, 7 and 8 in Section 9, and insert a period after the words "real estate" in line 5.

Amend Section 15, page 7, by adding at the end of said section as follows: "The Real Estate Commission, nor the Secretary of State, or any of its employees, shall prepare or cause to be prepared and distributed any primers or other material educational in nature for the purpose of educating applicants applying to take examinations or license, or for the purpose of instructing or assisting real estate brokers or agents in conducting their business."

Amend Section 19, page 8, by striking lines 4, 5, 6, 7, 8 and to and including the period after the word "biennium" in line 9 and insert the following: "Such of the moneys in the fund as are necessary may be used by the Commission in the administration and enforcement of this act."

Mr. Greenamyre moved that L. B. 100 be made Special Order on Wednesday, March 31, 1943 at 10:00 a.m.

The motion prevailed.

STATEMENT—Appropriations Committee

At the March 24th regular meeting of the Committee on Appropriations the following motion was adopted:

"I move that a bill be introduced to provide for an increase in the amount set aside for child welfare service in the state assistance fund; to eliminate from the operation of the act investigations relating to federal activities that have been abandoned."

In conformity with the above motion, the Committee presents such a bill for introduction.

(Signed) Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 428. By Appropriations Committee
H. G. Greenamyre of Madison, Chairman

A bill for an act to amend section 68-324, C. S. Supp., 1941, relating to the state assistance fund; to provide for an increase in the amount to be set aside for child welfare service in the state assistance fund; to eliminate from the operation of the act investigations and certifications with reference to federal activities that have been abandoned; and to repeal the original section.

MOTION—To Suspend Rules and Refer

Mr. Greenamyre moved that the rules be suspended and that L. B. 428 be referred at once.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL 428. Referred to Committee on Appropriations.

Adjournment

At 12:15 p. m., on motion by Mr. Mueller, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 26, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, and except Mr. Mekota, who was excused.

The Journal for the Fifty-fifth Day was approved as corrected.

Communications

An excerpt from the Congressional Record, dated March 23, 1943, was read, regarding Legislative Resolution 11, relating to Grading Butter and Cream.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 428, Thursday, April 1, 1943, 2:00 p.m.

Revenue

L. B. 429, Thursday, April 1, 1943, 2:00 p.m.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 313. Indefinitely postponed.

LEGISLATIVE BILL 273. Indefinitely postponed.

(Signed) Raecke, Chairman.

Appropriations

LEGISLATIVE BILL 421. Placed on General File.

LEGISLATIVE BILL 422. Placed on General File.

LEGISLATIVE BILL 423. Placed on General File.

(Signed) Greenamyre, Chairman.

Enrollment and Review

LEGISLATIVE BILL 425. Placed on Select File with amendments.

E and R amendments to L. B. 425:

1. In the bill, page 2, Section 1, line 1, strike the word "moneys" and in lieu thereof, insert: "money,"; line 7, after the word "when" insert the word "a".

2. In the bill, title, page 1, 3rd line, strike the word "excess" and in lieu thereof, insert: "money,"; 6th line, after "Fund," insert: "as provided in the above mentioned act,"; 9th line, after the word "when" insert the word "a" .

LEGISLATIVE BILL 308. Placed on Select File.

LEGISLATIVE BILL 307. Placed on Select File with amendments.

E and R amendments to L. B. 307:

In the bill, Section 1, page 2, line 1, before the word "Article" insert the word "That" .

LEGISLATIVE BILL 305. Placed on Select File.

LEGISLATIVE BILL 152. Replaced on Select File with amendments.

E and R amendments to L. B. 152:

Strike the legislature amendment of Mr. Thompson, and in lieu thereof:

(a) In Enrollment and Review amendment No. 3, in the new subject matter in quotation marks, strike: **"no sidewalk longer than one hundred and fifty feet"**, and in lieu thereof, insert: **"not more than one hundred and fifty feet of sidewalk"** .

(b) In Standing Committee amendment No. 1, referring to the title of the bill, strike: "no sidewalk longer than one hundred and fifty feet", and in lieu thereof, insert: "not more than one hundred and fifty feet of sidewalk" .

LEGISLATIVE BILL 150. Placed on Select File with amendments.

E and R amendments to L. B. 150:

In the bill, Section 1, page 2, at the end of line 3, after "person," insert: "firm or corporation or employee"; line 4, after the word "any" and before the word "firm", insert: "person,"; strike the words "so offending" in line 4, and in lieu thereof, insert: "violating the provisions hereof,"; line 8, strike the word "or" before the word "by"; line 9, strike the punctuation "," after the word "dollars" and before the word "or"; line 10, after the word "both" and before the word "fine", insert the word "such" .

LEGISLATIVE BILL 106. Placed on Select File with amendments.

E and R amendments to L. B. 106:

1. Strike the legislature amendments by Mr. Conklin and the Standing Committee amendment.

2. In the bill, Section 1, page 2, strike all of said section after the words "various departments" in line 5, and in lieu thereof, insert: "~~and of~~, **including** the heads thereof , but in . **In** no case shall the **annual** ~~salary~~ **salaries** ~~of the heads~~ of the following **heads of departments** exceed the amounts set forth herein, **each payable in monthly installments** : The ~~salary of the director~~ **Director** of the ~~department~~ **Department** of ~~agriculture~~ **Agriculture** and ~~inspection~~ **Inspection** , ~~thirty two hundred~~ **four thousand** dollars, ~~payable annually in monthly installments~~ ; ~~the salary of~~ the ~~commissioner~~ **Commissioner** of ~~labor~~ **Labor,** twenty-four hundred dollars , ~~payable annually in monthly installments;~~ ~~the salary of~~ the ~~director~~ **Director** of ~~health~~ **Health** , ~~thirty-two hundred~~ **four thousand** dollars , ~~payable annually in monthly installments~~ ; the ~~salary of the state engineer~~ **State Engineer,** six thousand dollars , ~~payable annually in monthly installments~~; and the ~~salary of the director of insurance~~ ,**Director of Insurance,** forty-five hundred dollars , ~~payable annually in monthly installments.~~"

3. In the bill, title, page 1, strike all of the 4th line, after the punctuation ";" and all of the 5th to 9th lines, inclusive, and in lieu thereof, insert: "to increase the maximum annual salaries of the Director of Agriculture and Inspection and the Director of Health to four thousand dollars each;" .

Correctly Enrolled

L. B. 46
L. B. 59
L. B. 149
L. B. 209
L. B. 366

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 46
L. B. 59
L. B. 149
L. B. 209
L. B. 366

Legislative Resolution 12

STATEMENT—Committee on Revenue

Mr. President: At its regular meeting on March 25th, the Revenue Committee, by unanimous vote of the members present, voted to introduce a bill to provide for the continuation of the levy of a tax of one cent per gallon upon fuels purchased for and used in aircraft in the State of Nebraska, said tax to be used for old age assistance.

(Signed) Raecke, Chairman.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 429. By Committee on Revenue
Walter R. Raecke of Merrick, Chairman.

A bill for an act to amend section 3-215, C. S. Supp., 1941, relating to aircraft; to provide for the imposition of a tax of five cents per gallon upon fuels purchased for and used in aircraft in the State of Nebraska; to provide for the distribution of such tax; and to repeal the original section.

MOTION—To Suspend Rules and Refer

Mr. Raecke moved that the rules be suspended and that L. B. 429 be referred at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

LEGISLATIVE BILL 429. Referred to Committee on Revenue.

MOTION—To Reconsider Action

Mr. President: I move that Legislative Bill 140 be recalled from Enrollment and Review Committee and placed on Third Reading and that the action of the Legislature on March 23, 1943 passing this bill be reconsidered.

(Signed) James H. Anderson.

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL 140. Mr. James H. Anderson moved that the bill be recommitted to Select File for the following Specific Amendment:

Strike Enrollment and Review Commitee amendments to Legislative Bill 140 as printed in the Legislative Journal of March 3, 1943.

The motion prevailed unanimously.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 171.

A bill for an act to amend section 46-111, C. S. Supp., 1941; to provide that irrigation districts may authorize the sale and conveyance of property, acquired by such district by purchase at a tax foreclosure sale, to any person, firm or corporation by a resolution duly adopted by the board of directors of such district; to provide that such property, so purchased by the district, shall not be sold for less than the amount bid for it by the district at the tax foreclosure sale; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mueller
Neubauer
Norman
Ogden
Osborne
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 4:

Mischke
Peterson
Raecke
Reavis

Not voting, 7:

Bowman
Crossland
Hanna
Hubka
Mekota
Rakow
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for the Journal

Mr. President: I vote "no" on L. B. 171, for the reason that the Bill as drawn does not provide sufficient safeguards to control the sale of the properties by the Board of Directors of the District.

(Signed) Reavis.

SELECT FILE

LEGISLATIVE BILL 215. E and R amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 174. E and R amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 141. Laid over.

GENERAL FILE

LEGISLATIVE BILL 300. Read and considered.
Standing Committee amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Mischke offered the following amendments, which were adopted:

In Sec. 1, page 3, lines 46 and 47, after the word "improvement" strike the comma and add the word "and".

After the word "management" strike the comma and the words "landscaping or beautifying".

Amend the title to conform with above amendment.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend by inserting the word "construction," after the word "the" and before "maintenance" in line 46.

Amend by adding Sec. 3 as follows:

"Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

And that the title be amended accordingly.

Amend the title to conform to the bill.

Referred to E and R for review.

LEGISLATIVE BILL 204. Read and considered.

Visitor

Mr. Reavis introduced William H. Diers of Gresham, a former member, who addressed the Legislature briefly.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 232. Correctly enrolled.

LEGISLATIVE BILL 215. Correctly engrossed.

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 232.

GENERAL FILE (Continued)

LEGISLATIVE BILL 204. Mr. Craven offered the following amendments and moved their adoption:

1. Amend page 3 of the bill, section 3, by inserting after the word "Commission" in line 11, the following: "to serve until their successors are elected and qualified as hereinafter provided in section 5 of this act.", and by striking from line 11 the words and punctuation "as created under this act".

2. Amend pages 4 and 5 of the bill, by striking all of section 5, and inserting in lieu thereof the following:

"At the first general state election succeeding the appointment of the original directors, as provided in section 3 of this act, the successors shall be elected in the following manner: Two directors shall be elected for a term of two years, one of which shall be elected from unicameral legislative district No. 4 and one from unicameral legislative district No. 5; two directors shall be elected for a term of four years, one of which shall be elected from unicameral legislative district No. 6 and one from unicameral legislative district No. 7; and three directors shall be elected for a term of six years, one of which shall be elected from unicameral legislative district No. 8, one from unicameral legislative district No. 9, and one from unicameral legislative district No. 10. At the general state election, preceding the expiration of each of the above prescribed terms of office, a successor member shall be elected, for a term of six years, from the same unicameral legislative district as that of the member whose term expires the following January. All vacancies in the membership of such Commission which shall result from expiration of term of office, death or disability, resignation, removal from office, attainment of age seventy-five, or permanent removal from the city or territory served by the Commission or otherwise, shall be filled by the mayor by appointment to hold office until the succeeding general state election, when a successor shall be elected for the unexpired term. Members shall be eligible to succeed themselves for one additional term and one only. No officer or employee of the city, whether holding a paid or unpaid office, shall be eligible to such Commission.

MOTION—To Adjourn

At 11:40 a.m. Mr. Cullingham moved to adjourn.

The motion was lost with 6 ayes, 19 nays, 18 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 204. The Craven amendments were considered.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

L. B. 232, Friday, March 26, 1943 at 11:15 a.m.

(Signed) James H. Anderson, Chairman

MOTION—To Recess

At 12:00 m. Mr. Mischke moved to recess until 2:30 p.m.

MOTION—To Adjourn

At 12:10 p.m. Mr. Thompson moved to adjourn until 10:00 a.m. Monday, March 29, 1943.

The motion prevailed with 23 ayes, 13 nays, 7 not voting.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, March 29, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifty-sixth Day was approved.

PETITIONS AND MEMORIALS

The following members introduced petitions: Mr. Mueller, Mr. Crosby, Mr. Sorrell; one each, favoring L. B. 123.

Communications

A letter was read from T. G. Stitts, Chief of the Dairy and Poultry Branch of the United States Department of Agriculture, regarding Legislative Resolution 11.

Senate Joint Memorial No. 7 of the Legislature of Idaho, regarding the preservation of water rights, was read.

NOTICE OF COMMITTEE HEARINGS

Committee on Committees

The following appointments have been set for hearing:

Monday, April 5, 1943, 2:00 p.m.

Grove M. Porter, State Racing Commission

Roscoe S. Hewitt, State Racing Commission

Donald D. Mapes, State Aeronautics Commission

Robert M. Armstrong, State Tax Commission

Approved by the Governor

March 26, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved L. B. 232.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

March 27, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 89
L. B. 177
L. B. 154
L. B. 116
L. B. 69
L. B. 41
L. B. 40

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 224. Placed on Select File with amendments.

E and R amendments to L. B. 224:

1. In Standing Committee amendment No. 1, strike "line 8" and in lieu thereof, insert "9th line"; amend Standing Committee amendments Nos. 2, 3 and 4, by striking "line 15", and in lieu thereof, insert "16th line"; in Standing Committee amendment No. 2, in the new subject matter in quotation marks, insert the word "the" after the word "when" and the word "a" after "part of"; in Standing Committee amendment No. 7 strike the figure "2" after the word "line" and in lieu thereof, insert the figure "1".

2. In the bill, Section 1, page 2, line 2, before the word "be", insert the following: "as amended by legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943," .

3. In the bill, Section 1, page 2, line 13, strike: "He shall also have" and in lieu thereof, insert: "~~He~~ **Such officer** shall also have **the**"; line 14, strike: "to any **existing** district", and in lieu thereof, insert: "~~to any district~~"; line 15, after the word "districts,", insert: **"to any existing district"** .

4. In the bill, Section 1, page 2, line 17, strike: "upon the" and in lieu thereof, insert: "~~upon the~~ **a**"; line 18, after the word "freeholders", insert: "**, verified on oath by him, her or them, may be made**"; line 23, strike "and" and in lieu thereof, insert "~~and~~,"; line 24, strike: "which petition shall also state" and in lieu thereof, insert: "~~which petition shall also state~~"; in lines 25 and 26, strike: "and no change shall be made unless it is shown", and in lieu thereof, insert: "~~and no change shall be made unless it is shown~~"; line 27, strike: "**with**" and in lieu thereof, insert: "with ," .

5. In the bill, Section 1, page 2, line 28, strike: "that they" and in lieu thereof, insert: **"and that** ~~they~~ **such children"**; line 31, strike "route possible" and in lieu thereof, insert: "~~route~~ possible **route"**; strike ", and" in line 32, and all of line 33, and in lieu thereof, insert: ", ~~and shall be verified by the oath of the petitioner or petitioners~~ ."; line 34, after the word "the" and before the word "board" insert the word **"said"** .

6. In the bill, Section 1, page 3, line 40, strike the word "upon" and in lieu thereof, insert "~~upon~~"; line 41, after the word "signed" and before the word "by", insert: **"and verified on oath"**, and strike: "to a board con-" at the end of said line, all of line 42, and "treasurer," in line 43, and in lieu thereof, insert: **"may be made to** ~~a~~ **the** board, **above referred to,** ~~consisting of the county superintendent, county clerk, and county treasurer~~,"; line 44, strike: "which petition shall show", and in lieu thereof, insert: "~~which petition shall show~~ **showing"**; line 45, strike the word "a" after the word "and" and before the word "half", and in lieu thereof, insert: "~~a~~ **one"** .

7. In the bill, Section 1, page 3, line 46, strike: "route possible", and in lieu thereof, insert: "~~route~~ possible **route**"; line 47, strike the word "and" before the word "said", and in lieu thereof, insert: "~~and~~ **stating that**"; line 49, strike "shall further show" and in lieu thereof, insert: "~~shall further show~~ **showing**"; strike all of line 50 after the word "change", and in lieu thereof, insert: ", ~~shall also each~~ have ~~remaining~~"; line 51, after the word "with", insert the word "**their**".

8. In the bill, Section 1, page 3, strike line 52 and the word "the" at the beginning of line 53, and in lieu thereof, insert: "guardians~~,~~ ~~and shall be verified by the oath of the petitioners, the~~ **remaining in the district so affected. Such**"; line 54, strike: "whenever they" and in lieu thereof, insert: "~~whenever they~~ **if it**"; in lines 60 and 62, after the word "if" insert the words "**it is**"; insert the word "**the**" at the end of line 63, after the word "and"; strike the word "publishing" in lines 65 and 66, and in lieu thereof, insert: "~~publishing~~ **publication**"; insert the punctuation "," at the end of line 66 (in the statute); line 67, strike the words "a notice", and in lieu thereof, insert: "~~a notice~~".

9. In the bill, Section 1, page 4, line 73, strike the words "when he", and in lieu thereof, insert: ", when ~~he~~ **such officer**"; line 79, strike: "of the petition" and in lieu thereof, insert: "~~of the petition~~"; strike line 80, and in lieu thereof, insert: "ment of ~~what~~ **the** changes in district boundaries ~~are~~ proposed **in the petition**~~,~~ and"; line 82, after the word "in" and before the word "three", insert the words "**at least**"; line 91, strike "further", and in lieu thereof, insert: "~~,~~ further, **that**"; strike the word "when" at the beginning of line 100, and in lieu thereof insert "~~when~~"; line 101 strike the words "other adjoining", and in lieu thereof, insert: "~~other~~ **an** adjoining **district or**"; line 102, after the word "upon" insert the word "**a**".

10. In the bill, Section 1, page 5, line 106, before the word "that" insert the following: "**and a sufficient showing**"; line 107, strike: "the third clause of this section", and in lieu thereof, insert: "**subsection (3) hereof,** ~~the third clause of this section~~"; line 110, after the word "all" insert the word "**persons**"; strike line 113, after the word "and", and in lieu thereof insert: "~~the first day of~~ October 1, **next following** ."

11. In the bill, Section 1, pages 5 and 6, strike all of subsection (7), prior to the word "**When**" in line 141, and in lieu thereof, insert the following:

"~~Seventh,~~ (7) (a) No new district shall be formed containing less than four sections of land nor shall any district be reduced, by division or otherwise, so as to contain less than that amount, unless the district so formed, or the part of a district remaining after division, shall have an assessed valuation of property of not less than fifteen thousand dollars; Provided, when streams or water courses make it impracticable to form districts containing four sections, the county superintendent may form districts with less than four sections without regard to valuation. (b) When streams of water make it impracticable for children to attend school in their own district, the county superintendent shall, when requested by parents or guardians of such children, attach to adjoining districts, such territory as such county superintendent may deem necessary for the purpose of giving the children school privileges. (c) Where a stream of water makes it necessary for a child or children to travel more than five miles to attend school, either in his, her or their own district or in any adjoining district in the same county, and where attaching the territory, which is cut off by the stream of water, to a district in an adjoining county, will enable such child or children to attend school by travelling less than in his, her or their own district, a parent or guardian of such child or children may file a request, with the Superintendent of Public Instruction, that such territory be attached for school purposes, to the district in the adjoining county having a nearer school. Upon such request being filed, the Superintendent of Public Instruction shall convene a board, consisting of such Superintendent of Public Instruction, the county superintendent of schools of the county where the applicant resides and the county superintendent of schools of the county to which the applicant desires to have such territory attached, to pass upon the request. The board shall be convened, at the office of the county superintendent of schools of the county where the applicant resides, within sixty days after the request is filed, at a time to be fixed by the Superintendent of Public Instruction, who shall notify the other members of the board, the applicant and the members of the school board of each school district involved, by registered mail, of the time and place of hearing, at least ten days prior thereto. A notice of the request, for transfer, and the time and place of hearing thereon, shall also be posted in three public places, one of which places shall be upon the outer door of the schoolhouse, if there be one, in each district affected, at least ten days prior to the hearing. At the hearing, the board, if a majority thereof so decides, may order the territory, cut off by such stream of water, attached to the school district in the adjoining county, for school purposes only. Taxes, on the territory so attached, shall be levied and collected in the manner provided by section 79-2101, C. S. Supp., 1941, covering transfer of pupils, for school purposes, from a school district located in one county to a school district located in another county. (d) When a district is reduced in size, by the annexation of a part of its territory to a city district, as provided by law, or when a portion of a district is cut off from school privileges, by a river changing its channel, so that such part remaining after such annexation, or the portion so cut off by change of a river channel, shall contain less than two sections of land and fewer than twenty persons of school age, the county superintendent shall attach such remainder or portion to adjoining districts; , if this can be done so that no pupil, in such remainder or portion, shall be more than two and one half miles from the nearest schoolhouse in the district in which such pupil is so placed."

12. In the bill, Section 1, page 6, line 147, strike the word "**adjoining**" and in lieu thereof, insert: **"an adjoining district or"**; line 149, strike the word "change" and in lieu thereof, insert: "~~change~~ **changes**"; line 150, strike: ", and" and in lieu thereof, insert: "; ~~and~~. **Any**"; line 152, strike the punctuation ";" before the word "and", and in lieu thereof, insert ";", and strike the word "boundary" and in lieu thereof, insert: "~~boundary~~ **boundaries"**; line 153, strike: "the petitions so filed" and in lieu thereof, insert: "~~the~~ **such** petitions so filed **and granted**" .

13. In the Bill, Section 2, page 6, line 3, strike the word "by" and in lieu thereof, insert: "~~by~~ **due to"**, strike the punctuation "," after "district" and in lieu thereof, insert ";" and at the end of said line, after the word **"or"** insert: **"to a"**; line 4, strike the word "the" at the beginning of said line, and strike **"has been"** and in lieu of same, insert the word **"being"**; line 6, strike: "or site thereof," and in lieu thereof, insert: "**, schoolhouse** ~~or~~ site ~~thereof~~ ", and strike: ", shall no longer be", and in lieu thereof, insert: **"of such district is** ~~shall~~ no longer ~~be~~"; line 7, strike: "and shall not be", and in lieu thereof, insert: "~~and shall not be~~ **or"**; at the beginning of line 8, before the word "by" insert: "**to be retained**"; line 9, strike: "and site, **or**" and in lieu thereof, insert: " ~~and~~**, school house** site **or**"; line 10, strike: ", shall be located", and in lieu thereof, insert: " ~~shall be~~ **is** located,"; insert the punctuation "," at the end of line 12, and also in line 9, after "county".

14. In the bill, Section 3, page 6, line 3, strike the word "immediately" at the end of the line, and strike the word "and" at the beginning of line 4 on page 7, and in lieu thereof, insert: ", ~~immediately and~~"; line 11, strike the punctuation "," after the word "fines" and in lieu thereof, insert: "~~and~~ ,", and strike the word **"site"** at the end of said line, and in lieu thereof, insert the word **"sites"**; line 22, strike: "city or village," and in lieu thereof, insert: "~~city or village~~;".

15. In the bill, Section 5, formerly Section 4, page 7, line 2, strike the word "and" before the word "sections"; line 3, before the word "be", insert the following: "and original legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943."

16. Strike the punctuation "," and in lieu thereof, insert ";" in the bill, in the following places: Section 1, page 2, line 4, after "districts"; at the end of line 17, after "freeholder"; line 19, after "clerk"; line 29, after "district"; page 3, line 54, after "proper"; page 5, line 108, after "posted" .

17. Insert the punctuation "," in the bill, in the following places: Section 1, page 2, line 5, after "changed"; line 7, after "district"; line 8, after "districts"; line 14, after "territory"; line 18, after "board"; line 20, after "land" and also after "therein"; line 26, after "territory"; page 3, line 35, after "land" and also after "petition"; line 36, after "petition", at the end of the line; at the end of line 40, after "district"; line 50, after "districts"; line 58, before the word "from" and also at the end of said line, after "district"; at the end of line 64, after "given"; page 4, line 84, after "territory"; line 85, before "proposed"; line 95, after "petition"; line 97, after "voted"; page 5, at the end of line 106, after "notice"; page 7, Section 3, line 24, after "law"; line 7, after "equally"; line 8, after "county" .

18. In the bill, title, page 1, 2nd line, after "1941," at the end of the line, insert: "as amended by legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943,"; 6th line, strike: "annexation to adjoining" and in lieu thereof, insert: "the annexation of the remaining part of a school district to an adjoining district or"; 11th line, after the words "sale of" insert: "the"; 12th line, strike the word "or" at the beginning of the line, and in lieu thereof, insert the word "schoolhouse", and after the word "property", in said line, insert: "of a school district,"; 15th line, before the word "distribution" and also before the word "proceeds", insert the word "the" and strike the word "from" and in lieu thereof, insert the word "of"; 16th line, after the word "sections" and before the insertion of Standing Committee amendment No. 4, insert: "and original legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943". Insert the punctuation "," in the 8th line, after "district"; 9th line, after "projects"; at the end of the 12th line, after "district"; 13th line, after "thereof" .

LEGISLATIVE BILL 221. Replaced on Select File with amendments.

E and R amendments to L. B. 221:

(a) In Standing Committee amendment No. 2, Section 20, line 1, before the word "Compiled", insert: "inclusive," .

(b) In Standing Committee amendment No. 1, referring to the title, strike "84-101 to 84-107" after the words "to repeal sections", and in lieu thereof, insert: "81-401 to 81-407."

LEGISLATIVE BILL 174. Replaced on Select File with amendments.

E and R amendments to L. B. 174:

In the bill, Section 6, page 8, lines 32, strike the word "dollar" and in lieu thereof, insert: "dollar **dollars**" .

LEGISLATIVE BILL 187. Replaced on Select File with amendments.

E and R amendments to L. B. 187:

Strike the specific amendment of March 23, 1943, by Mr. Sorrell, and in the bill, title, page 1, 8th line, after the word "field" and before the punctuation ";" insert the following: ", without first submitting such proposition to the voters; to authorize cities of the first and second class to levy an annual tax, of not to exceed one mill on the dollar of the actual valuation of the taxable property within the corporate limits of any such city, without a vote of the legal electors, for the purpose of leasing, improving and maintaining such aviation field, where such acquisition is by lease" .

Presented to Governor for Approval

Saturday, March 27, 1943 at 10:45 a.m.

L. B. 46
L. B. 59
L. B. 149
L. B. 209
L. B. 366

LEGISLATIVE BILL 82. Correctly enrolled.

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 82

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 301.

A bill for an act to amend section 81-1037, C. S. Supp., 1941, relating to dairy industry; to provide that the price paid for butterfat in second grade cream shall be at least three cents per pound less than that paid for butterfat in first grade cream; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 3:

Asimus
Garber
Osborne

Not voting, 5:

Burnham
Craven
Jeffords
Norman
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 130. With emergency clause.

A bill for an act relating to water conservation; to establish the State of Nebraska Water Conservation Board; to provide for its membership and to fix the terms and compensation of its members; to define its powers, duties and functions; to define terms; to state a validity clause; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 26:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Gutoski
Heiliger
Klaver
Lee
Matzke
Neubauer
Ogden
Peterson
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 12:

Burnham
Doyle
Garber
Greenamyre
Hanna
Jeffords
Jeppesen
Mekota
Mischke
Osborne
Raecke
Rakow

Not voting, 5:

Hubka
Mueller
Norman
Reavis
Tvrdik

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. 130 With Emergency Clause Stricken

Voting in the affirmative, 26:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Gutoski
Heiliger
Klaver
Lee
Matzke
Neubauer
Ogden
Peterson
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 12:

Burnham
Doyle
Garber
Greenamyre
Hanna
Jeffords
Jeppesen
Mekota
Mischke
Osborne
Raecke
Rakow

Not voting, 5:

Hubka
Mueller
Norman
Reavis
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

LEGISLATIVE BILL 409. With emergency clause.

A bill for an act to amend section 32-1701, C. S. Supp., 1941, relating to vacancies in office; to provide that the incumbent of an office, who is engaged in the military or naval service of the United States, shall not be required to maintain and keep in force an official bond or be responsible for the acts and defalcations of the acting officer, who is duly appointed and qualifies to take the place of such incumbent during the time the said incumbent is in such military or naval service; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1: Jeffords.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 306.

A bill for an act to repeal Article 12, Chapter 2, Compiled Statutes of Nebraska, 1929, relating to forest reserves for cities and towns.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Dooley
Doyle
Foster
Jeppesen
Klaver
Lee
Osborne
Peterson
Raecke

Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Crossland
Jeffords

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 304.

A bill for an act to repeal Article 7, Chapter 76, Compiled Statutes of Nebraska, 1929, relating to Torrens Title System.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 2:

Brodahl
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Replace on Select File.

Mr. President: I move that L. B. 147 be recalled from Committee on Enrollment & Review and replaced on Select File for the following Specific amendment:

Amend the bill, Section 2, line 3, after the word "property" by inserting the words "except intangible property".

(Signed) Garber

The motion prevailed.

MOTION—To Place on General File.

Mr. Greenamyre moved that L. B. 141 be replaced on General File with his Specific Amendment, found in the Legislative Journal for the Fifty-fifth Day.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 425. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 152. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 140. Mr. Cullingham moved that the Specific Amendment, found in the Legislative Journal for the Fifty-sixth Day, be adopted.

The motion prevailed.

Referred to E and R for engrossment.

LEGISLATIVE BILL 147. Mr. Garber moved that his Specific Amendment, found in this day's Journal, be adopted.

The motion prevailed.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 141. Mr. Greenamyre moved that his Specific Amendments, found in the Legislative Journal for the Fifty-fifth Day, be adopted.

The motion prevailed with 28 ayes, 5 nays, 10 not voting.

Referred to E and R for review.

Visitor

Mr. Doyle introduced Mr. Oswald Johnson, a former member of the Legislature of Wisconsin, who addressed the Legislature briefly.

MOTION—Windows in Legislative Chamber

Mr. Garber moved that a committee of three be appointed to investigate the proposed translucent paint for the windows in the south gallery and, if feasible in their judgment, have the same applied.

The motion prevailed.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 147. Replaced on Select File with amendments.

E and R amendments to L. B. 147:

(a) In the Enrollment and Review Committee amendment No. 4, adopted March 18, 1943, referring to the title of the bill, in the first line of the new matter inserted, before "for the years", insert: "upon all the taxable property of the state, except intangibles,".

(b) In the bill, Section 1, page 2, line 4, insert, before "for the purpose", the following: " except intangibles," .

(Signed) James H. Anderson, Chairman

Visitor

Mr. Norman introduced Karl Kehm of Omaha, a former member, who addressed the Legislature briefly.

Adjournment

At 11:58 a. m. on motion by Mr. James H. Anderson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, March 30, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Fifty-seventh Day was approved as corrected.

Communications

A letter was read from Senator Kenneth S. Wherry, regarding Legislative Resolution 11.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

L. B. 161, Monday, April 5, 1943, 8:00 p.m.

Approved by the Governor

March 29, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 149
L. B. 366
L. B. 165
L. B. 46
L. B. 59
L. B. 209

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL 308. Referred to E and R for engrossment.

LEGISLATIVE BILL 307. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 305. Referred to E and R for engrossment.

LEGISLATIVE BILL 150. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Mr. Jeffords offered an amendment for adoption by unanimous consent.

Objection was raised by Mr. Klaver.

Mr. Neubauer moved to refer the bill to General File for specific amendment.

The motion was lost with 6 ayes, 17 nays, 20 not voting.

Mr. Weborg moved to postpone indefinitely.

A record vote was requested.

Voting in the affirmative, 10:

Anderson, D. S.
Carmody
Craven
Hubka
Jeppesen
Mueller
Neubauer
Reavis
Thomas
Weborg

Voting in the negative, 25:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Dooley
Doyle
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Osborne
Raecke
Rakow
Thompson

Not voting, 8:

Cullingham
Foster
Gantz
Norman
Ogden
Peterson
Sorrell
Tvrdik

Referred to E and R for engrossment.

LEGISLATIVE BILL 106. E and R amendments, found in the Legislative Journal for the Fifty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 224. E and R amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 221. E and R amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Laid over.

LEGISLATIVE BILL 174. E and R amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 187. E and R amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 147. E and R amendments, found in the Legislative Journal for the Fifty-seventh Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Suspend Rules

Mr. Thompson moved that the rules be suspended and that L. B. 215 be considered on Third Reading File at once.

The motion prevailed with 34 ayes, 1 nay, 8 not voting.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 215. With emergency clause.

A bill for an act to amend section 77-901 and 77-905, Compiled Statutes of Nebraska, 1929, relating to taxation of fire insurance companies; to provide deductions from gross premiums in computation of tax; to provide for the filing by each and every fire insurance company, except as specifically provided in this act, with the Tax Commissioner of the names of their agents in this state, their post-office address and the amount of premiums reported for each individual agent for the preceding calendar year, and the certification of information from the statement by the Tax Commissioner to the county assessor of each county; to provide for the time of filing such statements in the year 1943 and each year thereafter; to provide for the granting by the Tax Commissioner of thirty days additional time after March 1 for such fire insurance companies to file such a written statement under certain conditions and circumstances; to repeal the original sections; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Cullingham
Dooley
Doyle
Foster
Gantz
Hubka
Jeffords
Jeppesen
Klaver
Lee
Ogden
Osborne
Raecke
Rakow
Reavis

Conklin
Craven
Crosby
Crossland
Garber
Greenamyre
Hanna
Heiliger
Mischke
Mueller
Neubauer
Norman
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Gutoski

Not voting, 5:

Anderson, D. S.
Asimus
Matzke
Mekota
Peterson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Suspend Rules

Mr. Matzke moved that the rules be suspended and that L. B. 97 be considered on Third Reading File at once.

The motion prevailed with 37 ayes, no nays, 6 not voting.

BILLS ON THIRD READING (Continued)

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 97. With emergency clause.

A bill for an act to amend section 72-229, Compiled Statutes of Nebraska, 1929, relating to bonds held in the various funds under the management and trusteeship of the Board of Educational Lands and Funds; to empower said board to sell any of such bonds for the purpose of the immediate reinvestment of the entire proceeds of such sale in bonds or securities of the United States government and to so reinvest all the proceeds of such sales; to provide certain procedure and requirements for such sales and reinvestments; to provide that such transaction shall be deemed an exchange of securities; to provide that, if the bonds in any of such funds sell for more than par value, the difference between the par value and the selling price of bonds sold shall, as a part of the respective permanent funds, be considered as a capital gain and set up as a capital reserve to offset past capital losses, except that the said difference shall be first used, as provided in this act, as far as may be necessary, to replace premiums and accrued interest paid on bonds so sold, at the time said bonds were purchased, and taken from the temporary or interest funds and not replaced in said funds; to provide for a notice of a proposed sale of the bonds of any Nebraska municipality to be given to such municipality before such bonds of such municipality shall be sold; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 41:

Anderson, James H.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2: Anderson, D. S. Bowman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 60. Placed on Select File with amendments.

E and R amendments to L. B. 60:

1. In the legislature amendment by Mr. Raecke (last amendment, not numbered) before the period at the end of said amendment, insert: "and insert "per" in lieu thereof".

2. In the legislature amendment by Mr. Greenamyre, underscore the new subject matter in quotation marks, and after the quotation mark and before "(c)" insert the word "and".

3. Strike legislature amendment No. 2 by Mr. Raecke (duplicated in part by legislature amendment by Mr. Crosby) after "Amendment 5", in the first line, and insert a period; in the legislature amendment by Mr. Crosby, after the figures "180" in the second line thereof, insert: ", inclusive,".

4. In legislature amendment by Mr. Crosby, 4th line, after "(5)" strike the word "After" and in lieu thereof, insert: "~~after~~ **After**"; in subsection (d), after "three-eighths", insert: "~~instead of thirty per cent~~" (in the present statute) and strike all of said subdivision after the word "manner", and in lieu thereof, insert: "; and for the same uses ~~and purposes~~ as ~~are~~ hereinabove provided; ; and"; in subsection (e), in the last line, before the word "hereinabove" insert the word "~~are~~", and strike the period at the end thereof, and in lieu thereof, insert: "; .".

5. In legislature amendment No. 3, by Mr. Raecke, strike the semicolon after the word "credited" in next to the last line thereof.

6. In Standing Committee amendment No. 1, insert a comma in the last line before the last quotation mark.

7. Strike Standing Committee amendment No. 2, stricken by legislature amendment No. 3 by Mr. Raecke, but included in those adopted thereafter, on same page of the Journal.

8. In Standing Committee amendment No. 6, strike line 4, and in lieu thereof, insert: "engage, in ~~his~~ **such dealer's** own name ~~or~~ , in the name of others ; or in the name of ~~his~~ **such dealer's**".

9. In Standing Committee amendment No. 6, page 2, line 12, after the word "emptied" and before the word "by", insert: "or caused to be received or imported and unloaded and emptied" (in the statute); strike the word "with" at the beginning of line 15, and in lieu thereof, insert the word "within" (as in the statute).

10. In Standing Committee amendment No. 6, page 2, line 33, strike: "on payment, and", and in lieu thereof, insert: "~~on payment~~; ~~and~~ **in making payments,**" and after the word "authorize" and before the word "refund", insert the word "a"; line 35, strike the word "and" after the word and punctuation "agencies," and in lieu thereof, insert "~~and~~"; line 43, strike the word "him", after the word "by", and in lieu thereof, insert: "~~him~~ **such dealer**".

11. In Standing Committee amendment No. 6, page 3, line 66, insert ";" after "~~further~~"; line 67, strike the word "he" after the word

"state", and in lieu thereof, insert: "~~he~~ , **such dealer**"; line 68, strike the word "him" after the word "by", and in lieu thereof, insert: "~~him~~ **such dealer**".

12. In Standing Committee amendment No. 6, Sec. 3, page 4, line 9, insert "," after "~~1939~~"; line 16, strike "~~1941~~," and in lieu thereof, insert: ", ~~1941~~ ~~;~~".

13. In the bill, Section 1, page 2, line 8, strike: "~~and~~ Until", and in lieu thereof, insert: ", ~~and until~~ **Until**"; line 16, strike: "The State Treasurer" and in lieu thereof, insert: "~~the state treasurer~~ **The State Treasurer**"; line 22, strike the comma after the word "be" and in lieu thereof, insert: ", **transferred**"; line 23, strike the word "transferred" and in lieu thereof, insert: "~~transferred~~ ,"; line 28, strike the word "years" and in lieu thereof, insert: "~~years~~ **year**"; line 29, strike the word "~~said~~" and in lieu thereof, insert the word "~~Said~~".

14. In the bill, Section 1, page 3, line 50, strike the punctuation ";" after the word "whatsoever", and in lieu thereof, insert: "~~;~~ ;"; line 55, strike: "~~;~~ . ~~Provided further~~, ~~that~~" (not in present statute) and insert a period; page 4, line 93, strike: "(a) for" and in lieu thereof, insert: "(a) ~~For~~ **for**"; page 5, line 114, strike the semicolon after the word "roads" and in lieu thereof, insert: "~~;~~ ;"; strike the period at the of line 119 and the words "~~and provided~~" at the beginning of line 120, and in lieu thereof, insert: "~~;~~ . ~~and provided~~,"; strike "," at the end of line 133 and "~~Provided that~~, No" at the beginning of line 134, and in lieu thereof, insert: "~~;~~ ~~Provided~~, ~~that no~~"; line 134, before the word "part" insert: "**(6) No**"; line 135, strike the comma after "**fund**".

15. Insert the punctuation "," in the following places: Section 1, page 5, line 104, after "investigation"; in Standing Committee amendment No. 6, page 2, line 23, after "shall" and also after "filed"; page 3, line 69, after "corporation"; line 70, after "terminal" and before "shall".

16. Strike the comma and insert "," in the following places: Standing Committee amendment No. 6, page 2, line 18, after "accountant"; line 34, after "God"; line 38 after "state"; line 39, after "Nebraska"; page 3, line 47, after "month"; line 75, after "Nebraska".

17. In the bill, title, page 1, at the beginning of the last line, insert: "to prescribe certain penalties for a failure to comply with the provisions of this act;".

18. In the bill, Section 1, page 3, line 41, after the word "fund", strike: ", and", and in lieu thereof, insert: "~~,~~ ~~and~~ ;" ; line 44, strike the punctuation "," after "county" and in lieu thereof, insert: "~~,~~ ;".

19. In Standing Committee amendment No. 6, line 12, strike the comma after the word "received", and in lieu thereof, insert: "~~,~~ **or**"; page 2, line 26, strike the word "who" and in lieu thereof, insert: "~~who~~ **which**", and in said line, strike ", and" after the word "therefor", and in lieu thereof, insert: "~~,~~ and **each day**", and strike the comma at the end of said line, after "Treasurer" and also strike the word "daily" at the beginning of line 27, and in lieu thereof, insert: "~~,~~ ~~daily~~".

20. Insert the punctuation "," in the bill, page 2, line 33, after "county"; page 3, line 42, after "bridges"; in Standing Committee amendment No. 6, page 1, line 3, after "dealer".

21. Strike the comma and in lieu thereof, insert "~~,~~" in the bill, page 3, line 54, after "bonds"; page 4, line 90, after "Irrigation"; line 101, after "landscaping".

LEGISLATIVE BILL 45. Placed on Select File with amendments.

E and R amendments to L. B. 45:

Strike all amendments to the bill and title.

Strike all of the bill after "Supp." in Section 1, page 2, line 1, and in lieu thereof, insert the following: ", 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, be amended to read as follows:

:

68-284. (1) On and after March 1, 1945, a tax of two dollars is hereby imposed upon every male and female inhabitant of the State of Nebraska who is twenty-one years of age or older, but has not yet attained the age of fifty years, ~~and who~~ is sane ~~and~~ **, is** not a public charge, as a poor person or recipient of blind assistance **, and is not excepted under subsection (3) hereof,** to be used exclusively for the purposes of the ~~State Assistance Fund~~ **state assistance fund** . The county board of each county in this state shall, on and after March 1, 1945, annually include in the county tax levy, ~~a~~ **said** tax of two dollars upon every male and female inhabitant of such county ~~who is twenty-one years of age or older, but has not yet attained the age of fifty years and who is sane and not a public charge, as a poor person or recipient of blind assistance~~ **, hereinbefore included in this subsection,** for the purposes above set forth.

(2) Until March 1, 1945, a tax of three dollars is hereby imposed upon every male and female inhabitant of this state who is twenty-one years of age or older, but has not yet attained the age of sixty-six years, ~~and who~~ is sane, ~~and~~ is not a public charge, as a poor person or recipient of blind assistance **, and is not excepted under subsection (3) hereof,** to be used **for the purposes** as set forth in subsection (1) of this act. The county boards of each county in this state, until March 1, 1945, shall annually include said tax of three dollars **upon every male and female inhabitant of such county, hereinbefore included in this subsection,** in the county tax levy **for the purposes** as provided for in subsection (1) of this act.

(3) The tax, provided for by subsections (1) and (2) of this section, shall not be imposed or levied upon any person serving in the armed forces of the United States on April 1 of each year.

~~(3)~~ **(4)** Such tax levies shall be collected by the county treasurers of the several counties of the state, which officers shall immediately remit the ~~moneys~~ **money** arising therefrom to the State Treasurer, who shall credit said ~~moneys~~ **money** to the ~~State Assistance Fund~~ **state assistance fund.**

Sec. 2. That section 77-1802, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1802. Every male inhabitant in each road district, being over the ~~age~~ age of twenty-one years and under the age of fifty years, except paupers, idiots, lunatics~~,~~ and others specially exempted by law, shall be assessed by the assessors to pay a poll tax of two dollars and fifty cents. A like exemption shall apply to **all persons serving in the armed forces of the United States on April 1 of each year and also to** honorably discharged veterans of the **first** and **second** ~~World War~~ **world wars, often referred to, respectively, as World War I and World War II,** who are disabled or ~~who are~~ receiving disability compensation from the ~~Federal Government~~ **United States government at the time of said assessment**~~, and honorably discharged veterans of the Spanish-American War~~. Such tax shall be payable in cash at the same time as the tax upon personal property is payable. Persons living in cities or incorporated villages, who are liable, by the provisions of the law regulating cities and villages, to pay the poll or labor tax or work upon the streets thereof, shall not be assessed to pay the tax provided for in this section.

Sec. 3. That original section 68-284, C. S. Supp., 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, and original section 77-1802, Compiled Statutes of Nebraska, 1929, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.

3. Strike all of the title, page 1, after the word "ACT", and in lieu thereof, insert the following: "to amend section 68-284, C. S. Supp., 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, and to amend section 77-1802, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that all persons serving in the armed forces of the United States, on April 1 of each year, shall be exempt from the payment of the respective taxes therein imposed; adding to those exempted from the poll tax, herein set forth, honorably discharged veterans of the second World War, often referred to as World War II, who are disabled or receiving disability compensation from the United States government at the time of said assessment; eliminating honorably discharged veterans of the Spanish American War from those exempted from said poll tax; to repeal the original section 68-284, C. S. Supp., 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, and original section 77-1802, Compiled Statutes of Nebraska, 1929; and to declare an emergency."

LEGISLATIVE BILL 141. Replaced on Select File with amendments.

E and R amendments to L. B. 141:

1. In legislature amendment No. 2, by Mr. Greenamyre, 2nd line, after the word "same" and before the words "and inserting", insert the following: "and all amendments to such lines".

2. In legislature amendment No. 3, by Mr. Greenamyre, at the end thereof, before the period, add the following: "and also strike all amendments to this section".

3. In legislature amendment No. 5, by Mr. Greenamyre, at the end of the 2nd line, after "inclusive," insert the following: "and all amendments to said lines".

LEGISLATIVE BILL 102. Replaced on Select File with amendments.

E and R amendments to L. B. 102:

In Enrollment and Review amendment No. 7, 4th line, after the word "population" and before the word "of" insert: "in excess".

Correctly Enrolled

Legislative Bill 304	Legislative Bill 306

Presented to Governor for Approval

Tuesday, March 30, 1943 at 9:45 a.m.

Legislative Bill 82

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 304	Legislative Bill 306

SELECT FILE (Continued)

LEGISLATIVE BILL 45. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 204. Mr. Peterson offered the following amendments:

Amend paragraph 1 of the Amendment to L. B. 204 offered by Senator Craven, shown at page 813 of the Journal, to make the amendment read as follows:

1. Strike from lines 10, 11, 12 and 13 of Section 3 the words "and constitute a Power Commission, as created by this Act. Such members and their successors shall constitute the Board of Directors of such Commission." and insert in lieu thereof the following: "members of the Power Commission. If the property acquired is an Electric Plant distributing electrical energy through a unified system of distribution in an area extending beyond the city limits of the Metropolitan City in which the main part of the plant is located and into Counties in this State immediately contiguous to the County in which the Metropolitan City is located, the County in which the Metropolitan City is located and the Counties in this State immediately contiguous thereto so served shall constitute a Metropolitan Area. The Governor shall appoint two persons from said Counties in the Metropolitan Area, other than the County in which the Metropolitan City is located, as members of the Power Commission.

"The members appointed by the Mayor of the Metropolitan City, with the approval of the Governing Body of such city, and the members so appointed by the Governor, and their successors, shall constitute a Power Commission within the provisions of this Act, and shall constitute the Board of Directors of such Power Commission.

"If the Electric Plant to be acquired is wholly within the area of the County in which the Metropolitan City is located, the members appointed by the Mayor of such city, with the approval of the Governing Body of such city, shall constitute the Power Commission and its Board of Directors."

"A Power Commission established under this Act shall not conclude a binding agreement to purchase, directly or indirectly, an existing Electric Plant (as distinguished from acquiring such plant by eminent domain) until public notice as in this act provided shall have been given of the purchase price and terms of payment. Any such purchase shall be subject to referendum as provided in this Act."

Mr. Craven asked for a division of the question; that the last paragraph of Mr. Peterson's amendments be voted upon separately.

Mr. Conklin moved that the bill be re-referred to the proper standing committee for rehearing and amendments; providing for complete limitation of area, election of the board, referendum on acquisition of property, rate fixing, and elimination of the charitable uses of funds; or such other amendments as the committee may deem necessary.

After discussion Mr. Gantz moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 36 ayes, 2 nays, 5 not voting.

The Conklin motion was lost with 14 ayes, 26 nays, 3 not voting.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 45. Correctly re-engrossed.

Correctly Enrolled

Legislative Bill 97	Legislative Bill 215

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 97	Legislative Bill 215

Adjournment

At 12:12 p.m. on motion by Mr. Sorrell the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, March 31, 1943

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sorrel, who was excused.

The Journal for the Fifty-eighth Day was approved.

Communications

Letters were read from Congressmen Carl T. Curtis and A. L. Miller, acknowledging receipt of L. R. 12, regarding release of radio supplies.

NOTICE OF COMMITTEE HEARINGS

Public Health and Miscellaneous Subjects

L. B. 245, Wednesday, April 7, 1943, 2:00 p.m.

L. B. 426, Wednesday, April 7, 1943, 2:00 p.m.

Labor and Public Welfare

L. B. 349, Monday, April 5, 1943, 8:00 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Tuesday, March 30, 1943 at 12:15 p.m.

L. B. 215	L. B. 97

Tuesday, March 30, 1943 at 4:30 p.m.

L. B. 306	L. B. 304

LEGISLATIVE BILL 409. Correctly enrolled.

LEGISLATIVE BILL 301. Correctly enrolled.

LEGISLATIVE BILL 130. Correctly enrolled.

LEGISLATIVE BILL 425. Correctly engrossed.

LEGISLATIVE BILL 152. Correctly re-engrossed.

LEGISLATIVE BILL 300. Placed on Select File with amendments.

E and R amendments to L. B. 300:

1. In the 1st legislature amendment by Mr. Greenamyre, 1st line, after "the word", insert: "and punctuation".

2. In the 2nd legislature amendment by Mr. Greenamyre, in the new matter in quotation marks, insert "Sec. 3." after the first quotation mark and before the word "Since".

3. In the bill, page 2, Section 1, line 3, strike: "That any", and in lieu thereof, insert: "~~That any~~ **Any**", and in said line, strike the punctuation "," after the word "class", and in lieu thereof, insert: "~~,~~; **or**"; line 4, strike: "class, or city of the", and in lieu thereof, insert: "~~class,~~; or ~~city of the~~"; line 17, after the word "bonds" strike " , " " , and in lieu thereof, insert: "~~,~~;","; line 20, after the word "ten" strike the word "or" and in lieu thereof, insert: "~~or~~ **nor**" ; line 27, strike the word "issue" and in lieu thereof, insert: "~~issue~~ **issuance**"; line 31, strike "purpose" and in lieu thereof, insert: "~~prupose~~ (purpose)".

4. In the bill, page 3, Section 1, line 35, before the word "which", insert the following: **"except intangible property,"** line 44, after the word "of" and before the word "tax", insert the word "a"; line 48, after the word "**in**" and before the word "**performance**", insert the word "**the**"; line 51, before the word "**within**", insert: **"except intangible property,"**.

5. Insert the punctuation "," in the bill, Section 1, in the following places: Page 2, line 5, after "acquire"; line 9, after "improvements"; line 15, after "field"; line 16, after "city" and before "to"; line 21, after "years"; line 25, after "city"; line 27, after "cast" and also after "bonds"; line 29, after "bonds" and also after "provided"; line 30, after "elsewhere"; line 32, after "may"; line 33, after "bonds"; page 3, line 38, after "city".

6. Strike the comma and insert the punctuation ";" in the bill, Section 1, in the following places: Page 2, line 8, after "field"; line 23, after "par"; page 3, line 41, after "years".

7. In the bill, title, first page, strike all of the title after "taxes for" in the 4th line, and in lieu thereof, insert the following:
"the purpose of the construction, maintenance, improvement and management of such aviation fields and for the payment of personal employment in the performance of such labor; to provide that no part of the funds so levied and raised shall be used for any other purpose; to repeal the original section; and to declare an emergency."

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 409 L. B. 301 L. B. 130

Approved by the Governor

March 30, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 97

L. B. 215

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 211.

A bill for an act relating to schools; to provide that there may be established a retirement system for employees of school districts in metropolitan cities, other than those employees now under a pension or retirement plan; to provide for a retirement fund and the administration thereof; to provide limited pensions from such fund in the event of disability or retirement and reimbursement of the contributions of employees in the event of death or discontinuance of service; to amend sections 79-2756, 79-2759, 79-2761, 79-2762, 79-2763, 79-2764 and 79-2765, C. S. Supp., 1941, and to repeal the original sections; to repeal sections 79-2757, 79-2758, 79-2760, 79-2766, 79-2767 and 79-2770, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Cullingham
Doyle
Garber
Jeffords
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for the Journal

Mr. President: Had I been present, I would have voted "aye" on L. B. 211.

(Signed) Cullingham

LEGISLATIVE BILL 213. With emergency clause.

A bill for an act to amend section 72-217, C. S. Supp., 1941, relating to school lands and funds; to provide that no individual, partnership or corporation shall be entitled to hold more than six hundred forty acres of state educational lands under lease except where the land to be leased lies adjacent to lands owned or operated by such applicant or assignee; to provide certain procedure for the leasing of such lands, the collection and fixing of rentals thereon and for the appraisal and reappraisal of such lands; to provide for a prescribed covenant or provision to be inserted in each lease of such lands; to provide for the forfeiture of a lease upon a lessee's failure to pay rental; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Craven.

Not voting, 2:

Mekota
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Approved by the Governor

March 31, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 82 L. B. 304 L. B. 306

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

SELECT FILE

LEGISLATIVE BILL 221. Passed over.

LEGISLATIVE BILL 60. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Laid over.

LEGISLATIVE BILL 141. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 102. E and R amendments, found in the Legislative Journal for the Fifty-eighth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Speaker Crosby presiding

Special Order

LEGISLATIVE BILL 100. Mr. Lee offered the following amendments which were adopted:

That section 6 as amended be amended by striking from line 2 the words "be limited to" and inserting in lieu thereof the words "include leaseholds, oil leases, oil royalties and all other conveyances of oil or mineral rights as well as" and amend the title to conform.

Mr. Gantz offered an amendment which was lost with 11 ayes, 18 nays, 14 not voting.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend Section 9 by striking the period after the words real estate and reinserting lines 6, 7, 8 as provided in the bill, and leave the said section as originally introduced, subject to committee amendments.

Mr. Bowman renewed his motion to refer to E and R for engrossment.

The motion prevailed.

LEGISLATIVE BILL 204. Mr. Peterson's amendments, found in the Legislative Journal for the Fifty-eighth Day, were read, except the last paragraph.

Mr. Craven moved that the bill be laid over until Tuesday, April 6, 1943.

Mr. Crossland presiding

The motion was lost with 10 ayes, 24 nays, 9 not voting.

Mr. Peterson's amendments, as read, were adopted with 26 ayes, 6 nays, 11 not voting.

President Johnson presiding

STANDING COMMITTEE REPORTS (Continued)

Appropriations

LEGISLATIVE BILL 95. Placed on General File with amendments.

Standing Committee amendments mimeographed in lieu of printing in Journal.

LEGISLATIVE BILL 96. Placed on General File with amendments.

Standing Committee amendments mimeographed in lieu of printing in Journal.

(Signed) Greenamyre, Chairman

STATEMENT—Appropriations Committee

On March 29, 1943, the Committee on Appropriations, in regular meeting, adopted the following motions:

"I move that the Committee introduce a Resolution in the Nebraska Legislature, directing that the Legislative Council make a study and investigation of the extent to which an audit should be made of the affairs of the Department of Roads and Irrigation, and of the Board of Control."

"I move that the Committee introduce a Resolution directing the Legislative Council to study and investigate the feasibility of adopting a uniform course of procedure requiring bonds to be furnished by state employees."

In accordance with the above motions, the Committee herewith submits such Resolutions for introduction.

March 31, 1943. (Signed) Greenamyre, Chairman

STATEMENT—Appropriations Committee

At a regular meeting of the Committee on Appropriations March 24, 1943, the following motion was adopted:

"Mr. Chairman: I move that a resolution be introduced by the Committee relating to the State Racing Commission; such Resolution to specify that the State Racing Commission be requested to deposit all license fees received under section 2-1508, C. S. Supp., 1941, with the State Treasurer, and that all disbursements be made upon state vouchers and warrants."

The Committee, conforming with the requirements of the above motion, herewith submits such Resolution for introduction in the Legislature.

March 31, 1943 (Signed) Greenamyre, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 15. Premiums on Bonds of Employees

Introduced by Committee on Appropriations

H. G. Greenamyre of Madison, Chairman

WHEREAS, it has been developed, in hearings before the Appropriations Committee, that a number of the state officers, departments and agencies have employees bonded that are not required by the laws of this state to be bonded, and are paying the premiums upon such bonds out of the funds appropriated for such state officers, departments and agencies, and

WHEREAS, other state officers, departments and agencies require the premiums on the bonds of employees, where the laws of this state do not require such employees to give bond, to be paid by such employees, and

WHEREAS, it is desirable that a uniform course of procedure, with reference to the bonding of employees and the payment of premiums by the state, should be adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Director of the Legislative Council be instructed to make a study and investigation of the feasibility of adopting a uniform course of procedure requiring bonds to be given by all employees of the state into whose hands funds, securities or properties may come and the payment of premiums on such bonds by the state, and as part of such study and investigation to ascertain the extent to which employees of the state are at present bonded and the extent to which the state pays the premiums therefor.

2. That such study and investigation be made by the Director of the Legislative Council during the interim between this session and the next regular session of the Legislature, and that a report of such study and investigation be made to and considered by the Legislative Council and that recommendations be made by it to the next regular session of the Legislature.

LEGISLATIVE RESOLUTION 16. Auditing Certain State Departments

Introduced by Committee on Appropriations

H. G. Greenamyre of Madison, Chairman

WHEREAS, it is the duty of the Auditor of Public Accounts to examine books, accounts, vouchers, records and expenditures of all state officers and state departments, but the extent to which such examination shall be made is dependent upon the amount of funds that may be appropriated by the Legislature, and

WHEREAS, there has not been a detailed audit in recent years of the Department of Roads and Irrigation or of the Board of Control, which have been and are expending millions of dollars each year, and

WHEREAS, it is desirable to ascertain the extent to which an audit should be made by the Auditor of Public Accounts of such departments and the approximate cost thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Director of the Legislative Council be instructed and directed to make a study and investigation of the extent to which an audit should be made of the affairs of the Department of Roads and Irrigation and of the Board of Control, and the approximate cost thereof, and also to investigate the feasibility of having a full time employee, working under the Auditor of Public Accounts and responsible to him, to devote his entire time to auditing and checking the affairs of each of said departments.

2. That such study and investigation be made by the Director of the Legislative Council during the interim between this session and the next regular session of the Legislature, and that a report of such study and investigation be made to and considered by the Legislative Council and that recommendations be made by it to the next regular session of the Legislature.

LEGISLATIVE RESOLUTION 17. Funds of State Racing Commission

Introduced by Committee on Appropriations, H. G. Greenamyre of Madison, Chairman.

WHEREAS, the State Racing Commission has not been depositing license fees received by it with the State Treasurer, and has not been making disbursement upon voucher and warrant, in accordance with the established practice of other departments, commissions and agencies of the state;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the State Racing Commission be requested to deposit all license fees received by it under section 2-1508, C. S. Supp., 1941, with the State Treasurer, and that all disbursements be made by the commission upon proper vouchers and warrants, in the manner provided by law for disbursement of funds from the state treasury.

STANDING COMMITTEE REPORTS (Continued)

Revenue

LEGISLATIVE BILL 129. Indefinitely postponed.

LEGISLATIVE BILL 14. Placed on General File with amendments.

Standing Committee amendments to L. B. 14:

FIRST GROUP

1. Amend page 2 of the bill, section 1, lines 3 to 32, by striking all of the same and inserting the following in lieu thereof:

"32-211. At the general election in ~~nineteen hundred and thirty~~ **1946,** and each four years thereafter, there shall be elected a county assessor in each county of the state, except in counties **having a population of less than eighteen thousand inhabitants** where the office of ~~County Assessor~~ **county assessor** has been abolished~~,~~**. In counties having a population of eighteen thousand or more inhabitants, the county assessor shall devote his entire time to the duties of his office.** ~~whose~~ **The** term of office **of each county assessor** shall be four years, and shall commence on the first Thursday after the first Tuesday in January following his election**.** ; Provided, in any county, **having a population of less than eighteen thousand inhabitants,** upon presentation of a petition to the county board, not less than sixty days before any general election, signed by at least ten per cent of the electors of the county secured in not less than two-fifths of the townships or precincts of said county, and praying that the question of electing a county assessor in said county be submitted to the electors therein, the county board at the next general election shall order the submission of the same to the qualified voters of said county. The form of submission upon the ballot shall be as follows: "Against election of county assessor. For election of county assessor." And if a majority of the votes cast on the question shall be against the election of county assessor in said county, the office shall cease therein, with expiration of the term of the incumbent, and the duties of the county assessor shall thereafter in said county devolve upon the county clerk, and be considered as part of his duties as such county clerk, and the county clerk shall receive no compensation for such duties outside of his reguar salary as county clerk."

2. Amend page 2 of the bill, section 2, line 2, by striking the word "eight" and substituting in lieu thereof the word "eighteen".

3. Amend page 3 of the bill, section 2, line 4, by striking the figures "1945" and inserting in lieu thereof the figures "1947".

4. Amend page 3 of the bill, section 3, lines 3 to 66, by striking all of the same and inserting the following in lieu thereof:

"33-129. County assessors shall receive as compensation for their services the following sums per annum: in counties having a population of five thousand or less, ~~two~~ **four** hundred ~~and fifty~~ dollars; in counties having a population of ~~from~~ five thousand **or more** ~~to~~ **and less than** ten thousand ~~four~~ **six** hundred ~~and fifty~~ dollars; in counties having a population of ~~from~~ ten thousand **or more** ~~to twenty~~ **and less than eighteen** thousand, **eight** ~~six~~ hundred dollars; in counties having a population of ~~from twenty~~ **eighteen** thousand **or more** ~~to thirty thousand~~ **and less than twenty-five thousand,** ~~seven hundred~~ **two thousand** dollars; in counties having a population of ~~from thirty~~ **twenty-five** thousand ~~to fifty thousand~~ **or more and less than sixty thousand,** ~~eight hundred~~ **twenty-five hundred** dollars; in counties having a population ~~from fifty thousand to one hundred thousand, eighteen hundred dollars;~~ **of sixty thousand or more and less** ~~in counties having a population of over one hundred thousand and less~~ than two hundred thousand, twenty-six hundred dollars; in counties having a population of ~~over~~ two hundred thousand **or more,** the county assessor shall be entitled to receive the sum of four thousand dollars per annum, and he shall have two chief deputies; a chief field deputy whose salary shall be three thousand dollars per annum and a chief office deputy whose salary shall be twenty-five hundred dollars per annum; and such other clerks and assistants to be appointed by him as the county board may find to be necessary, whose compensation shall be fixed by the county board. The salaries herein provided for to be paid county assessors, deputy county assessors and such other clerks and assistants, shall be paid in monthly installments from the general fund of the county~~.~~; Provided, in counties having a **population of less than eighteen thousand inhabitants and having** an assessed valuation of less than seven hundred thousand dollars, the compensation shall be not more than five dollars per day for the time actually and necessarily employed in the duties of the office to be determined by the county board of such counties, but not to exceed three hundred and fifty dollars. The compensation of the county deputy assessor and the precinct assessors shall be five dollars per day for the time actually and necessarily employed in the discharge of their duties. Eight hours shall constitute a day's work~~.~~; Provided, that in any county where the county assessor and the county board shall deem it more practical and economical, they shall be empowered to pay the precinct assessors on the basis of so much per schedule actually made out and delivered by such precinct assessor, but in no event shall the amount paid per schedule exceed the average cost per schedule for the last five preceding years. Vouchers for the amount claimed by the county deputy assessor and the precinct assessors as such compensation shall be approved by the county assessor before the claims are allowed by the county board."

5. Amend page 5 of the bill, by striking all of section 4.

6. Amend page 5 of the bill, by adding a new section, numbered 4, reading as follows:

"Sec. 4. That original section 77-1602, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

77-1602. On or before the first day of April of each year in which an assessment of real estate is to be made, the county clerk **, in counties having a population of less than eighteen thousand inhabitants, and the county assessor in counties having a population of eighteen thousand or more inhabitants,** shall make up for the several townships, precincts, cities and villages in the county, in books to be provided for that purpose by the ~~state board of equalization and assessment.~~, **State Board of Equalization and Assessment,** a list of the taxable lands and lots in his county. When a whole section, half section, quarter section or half quarter section belongs to one owner, it shall be listed as one tract, and when all lots in the same block belong to one owner, they shall be listed as a block. When several adjoining lots in the same block belong to the same owner, they shall be included in one description. When any tract or parcel of real estate is situated in more than one township, precinct, school, road or other district, the portion thereof in each shall be listed separately. The clerk **or county assessor, as the case may be,** shall enter in the proper column, opposite each respective tract or lot, the name of the owner thereof, so far as he shall be able to ascertain the same. Such books shall contain columns in which may be shown the number of acres or lots not improved and the value thereof; the number of acres or lots improved and the value thereof; the improvements and the value thereof; the total value, the assessed value and such other columns as may be required. ~~: Provided, in counties of over thirty thousand and less than one hundred thousand inhabitants, the county assessor shall make up the assessment books.~~"

7. Amend page 5 of the bill, section 5, by striking all of the same and inserting in lieu thereof:

"Sec. 5. That original sections 32-211, 33-129 and 77-1602, Compiled Statutes of Nebraska, 1929, are repealed."

8. Amend the title to the bill, line 2, by striking the punctuation and figures "32-212, and 33-129," and inserting in lieu thereof "33-129 and 77-1602,".

9. Amend the title to the bill, lines 3 and 4, by striking the words, figures and punctuation: "and section 2-1801, C. S. Supp., 1941,".

10. Amend the title to the bill, line 6, by striking the word "eight" and substituting in lieu thereof the word "eighteen".

11. Amend the title to the bill, line 7, by striking the punctuation after the word "assessor" and adding the following: ", who shall devote his entire time to the duties of his office;".

12. Amend the title to the bill, lines 8 to 13, by striking the word "providing" in line 8, all of lines 9, 10, 11, and 12, and the words and punctuation "assistants;" in line 13.

SECOND GROUP

1. Amend page 2 of the bill section 1, line 6, as set out in standing committee amendment 1, by striking the word "eighteen" and substituting in lieu thereof the word "**ten**".

2. Amend page 2 of the bill, section 1, line 9, as set out in standing committee amendment 1, by inserting after the punctuation following the word "inhabitants" the following: "**and in counties having a population of ten thousand inhabitants or more and less than eighteen thousand when the county board by resolution entered on its records so determines,**".

3. Amend page 2 of the bill, section 1, line 15, as set out in standing committee amendment 1, by striking the word "eighteen" and substituting in lieu thereof the word "**ten**".

4. Amend page 3 of the bill, section 3, line 10, as set out in standing committee amendment 4, by inserting after the word "dollars" and before the punctuation ";" the following: "**, except where the county board has determined that the county assessor shall devote his entire time to the duties of his office in which event his salary shall be eighteen hundred dollars**".

5. Amend page 3 of the bill, section 3, line 32, as set out in standing committee amendment 4, by striking the word "eighteen" and substituting in lieu thereof the word "**ten**".

THIRD GROUP

1. Amend standing committee amendment 6, line 6, by inserting after the word and punctuation "**inhabitants,**" the following: "**except where the county board has determined that the county assessor shall devote his entire time to the duties of his office,**".

2. Amend standing committee amendment 6, line 8, by inserting after the word and punctuation "**inhabitants,**" the following: "**and in counties having a population of ten thousand or more and less than eighteen thousand inhabitants, except where the county board has determined that the county assessor shall devote his entire time to the duties of his office,**".

3. Amend standing committee amendment 6, line 30, by inserting after the punctuation following the word "required" the following: "**The county assessor shall prepare, and revise as frequently as may be necessary, land maps and lot-and-block maps, showing every parcel of real estate in the county, together with such information pertinent to assessment as can be shown therein.**"

LEGISLATIVE BILL 394. Placed on General File.

LEGISLATIVE BILL 135. Indefinitely postponed.

(Signed) Raecke, Chairman

Enrollment & Review

LEGISLATIVE BILL 140. Correctly re-engrossed.

Correctly engrossed

L. B. 102
L. B. 305

L. B. 307
L. B. 308

(Signed) James H. Anderson, Chairman

Adjournment

At 12:15 p.m. on motion by Mr. Mueller, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 1, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sorrell, who was excused.

The Journal for the Fifty-ninth Day was approved.

Petitions and Memorials

A petition, addressed to all members, was read opposing L. B. 253.

Communications

A letter was read from The Glenn L. Martin Company regarding inspection for safety and sanitary conditions at their Mead plant.

NOTICE OF COMMITTEE HEARINGS

Government

L. B. 430, Wednesday, April 7, 1943, 4:30 p.m.

L. B. 431, Wednesday, April 7, 1943, 4:30 p.m.

STANDING COMMITTEE REPORTS

Judiciary

LEGISLATIVE BILL 427. Placed on General File.

LEGISLATIVE BILL 378. Indefinitely postponed.

(Signed) Gantz, Chairman

Labor and Public Health

LEGISLATIVE BILL 354. Indefinitely postponed.

LEGISLATIVE BILL 208. Indefinitely postponed.

LEGISLATIVE BILL 401. Indefinitely postponed.

(Signed) Craven, Chairman

Enrollment and Review

LEGISLATIVE BILL 187. Correctly re-engrossed.

LEGISLATIVE BILL 147. Replaced on Select File with amendments.

E and R amendments to L. B. 147:

Strike the specific amendment found in the Journal of March 29, 1943, on page 827.

Presented to Governor for approval

Wednesday, March 31, 1943 at 1:30 p.m.

L. B. 31 L. B. 32

(Signed) James H. Anderson, Chairman

Government

LEGISLATIVE BILL 413. Placed on General File.

(Signed) Doyle, Chairman

Public Works

LEGISLATIVE BILL 397. Indefinitely postponed.

(Signed) Mischke, Chairman

Resolutions

LEGISLATIVE RESOLUTION 18. Appreciation, Frank J. Brady

Introduced by Harry E. Gantz, E. M. Neubauer, F. A. Mueller, George I. Craven, Arthur Carmody, Charles F. Tvrdik, Joseph C. Reavis and Peter P. Gutoski.

WHEREAS, the Honorable Frank J. Brady has served as Tax Commissioner of the State of Nebraska, from January 10, 1941, to March 31, 1943, inclusive, and

WHEREAS, the said Frank J. Brady has faithfully and competently discharged the duties of his office:

THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

That the Legislature of Nebraska hereby expresses its sincere appreciation to the said Frank J. Brady for the honesty, the vigor, and the efficiency with which he has performed the duties of Tax Commissioner, and for the valuable services which he has rendered to the State of Nebraska and the people thereof, and

That a copy of this resolution, suitably engrossed by the clerk, be sent to the Honorable Frank J. Brady, at his home, in Atkinson, Nebraska, and a copy hereof printed in the Legislative Journal.

Mr. Gantz moved that the rules be suspended and the resolution be considered at once.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Mr. Gantz moved that the resolution be adopted.

The motion prevailed unanimously.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 430. Committee on Government, by John F. Doyle, J E Conklin, C. Petrus Peterson, George C. Weborg and Cliff N. Ogden, a majority of its members.

A bill for an act to amend section 68-318, C. S. Supp., 1941, relating to administration of the State Assistance Fund by the Board of Control; to increase the salary of the executive secretary for the Board of Control to the sum of four thousand dollars per annum; and to repeal the original section.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that we consider L. B. 45 on Third Reading at this time.

(Signed) Greenamyre

The motion prevailed with 39 ayes, no nays, 4 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 201. With emergency clause.

A bill for an act to appropriate, from the general fund of the State of Nebraska, the sum of six thousand five hundred dollars, or so much thereof as may be necessary, to enable the State of Nebraska, to purchase the South Half of the Northeast Quarter of Section Eight, Township Nine North, Range Six, East of the Sixth Principal Meridian, in Lancaster County, Nebraska, for the use of the reformatory for men; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Osborne
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 45. With emergency clause.

A bill for an act to amend section 68-284, C. S. Supp., 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, and to amend section 77-1802, Compiled Statutes of Nebraska, 1929, relating to taxation; to provide that all persons serving in the armed forces of the United States, on April 1 of each year, shall be exempt from the payment of the respective taxes therein imposed; adding to those exempted from the poll tax, herein set forth, honorably discharged veterans of the second World War, often referred to as World War II, who are disabled or receiving disability compensation from the United States government at the time of said assessment; eliminating honorably discharged veterans of the Spanish American War from those exempted from said poll tax; to repeal the original section 68-284, C. S. Supp., 1941, as amended by legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943, and original section 77-1802, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 2:

Doyle
Osborne

Not voting, 2:

Jeppesen	Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 221. Mr. Osborne offered the following amendment, which was adopted by unanimous consent:

Amend the Committee amendments to L. B. 221, Section 11, page 4, by adding after subsection (6) the following: "Provided, that the standards and specifications determined by the Standards and Specifications Committee herein shall not be in conflict with any of the provisions contained in Chapter 89, Compiled Statutes of Nebraska for 1929, and amendments thereto".

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

1. Amend standing committee amendment 2, section 16, by striking all of lines 10 and 11.

2. Amend standing committee amendment 2, section 16, lines 13 to 15, by striking the sentence: "At the expiration of such time, the authority shall lapse, and an additional direct purchase order shall be requisite for any such purchase."

3. Amend standing committee amendment 2, section 16, line 17, by striking the words "each month".

4. Amend standing committee amendment 2, section 16, line 19, by striking the period, substituting a comma in lieu thereof, and adding: "at such time and covering such period as may be required by the Purchasing Agent."

5. Amend standing committee amendment 2, by striking all of section 17 thereof, and substituting the following in lieu thereof:

"Sec. 17. Contracts or orders for purchase shall be awarded to the bidder submitting the lowest and best bid as determined by the

Purchasing Agent; Provided, the Purchasing Agent may reject any or all bids or waive any technicalities therein."

Referred to E and R for engrossment.

LEGISLATIVE BILL 60. Mr. Asimus moved to refer the bill to General File for specific amendment.

The motion was lost with 12 ayes, 17 nays, 14 not voting.

Mr. Osborne offered the following amendment and asked that it be adopted by unanimous consent:

Amend the Bill by striking the semicolon ";" after the word "act" in paragraph (a) of the Crosby amendment, March 19, 1943, and insert the following: "**and credit to the Division of Motor Fuels of the Department of Agriculture and Inspection such amount of the gasoline tax fund as shall be necessary to pay the cost of administering and enforcing the motor vehicle fuels tax laws of this state; provided however that in no event shall the amount so credited exceed eight tenths of one per cent of the total gasoline tax fund collected.**"

Mr. Raecke asked that the bill be laid over. So ordered.

LEGISLATIVE BILL 300. E and R amendments, found in the Legislative Journal for the Fifty-ninth Day, were adopted.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL 45. Correctly enrolled.

LEGISLATIVE BILL 106. Correctly engrossed.

(Signed) James H. Anderson, Chairman

President signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 45.

Approved by the Governor

March 31, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 31 L. B. 32

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor.

STATEMENT—Committee on Government

At the regular meeting of the Committee on Government held March 31, 1943, it was authorized by seven votes, that the Chair be authorized to introduce a bill pertaining to salary of members of County Boards.

(Signed) Doyle, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 431. By Committee on Government
John F. Doyle of Greeley, Chairman

A bill for an act to amend section 33-128, C. S. Supp., 1941, relating to salaries of members of county board; to provide that in counties under township organization having twelve thousand or more inhabitants and less than twenty-five thousand inhabitants, the annual salary of members of the board of supervisors shall be eight hundred dollars; and to repeal the original section.

Mr. Doyle moved that the rules be suspended and that L. B. 430 and L. B. 431 be referred at once.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE BILL 430. Referred to Committee on Government.

LEGISLATIVE BILL 431. Referred to Committee on Government.

At 10:25 a.m. the President declared the Legislature at ease for thirty minutes.

At 11:05 the President called the Legislature to order.

STANDING COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 45. Presented to the Governor for approval Thursday, April 1, 1943 at 11:00 a.m.

(Signed) James H. Anderson, Chairman

REQUEST—Special Order

Mr. Dooley asked that unanimous consent be granted to set L. B. 204 as Special Order of business for Tuesday, April 6, 1943 at 10:00 a.m.

No objection was offered. So ordered.

Members Excused

Messrs. Asimus, Craven, Burnham, Greenamyre, Jeffords, Mischke, Peterson, Sorrell and Weborg were excused from the session on Friday, April 2, 1943.

Mr. Peterson was excused from the session on Monday, April 5, 1943.

Approved by the Governor

April 1, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 45.

Respectfully submitted,
(Signed) Robt. M. Armstrong
Secretary to the Governor

RESOLUTIONS

LEGISLATIVE RESOLUTION 19. Sympathy to Mr. Sorrell.

Introduced by Robert B. Crosby

WHEREAS, the Legislature has learned with great sorrow of the sad and untimely death of Oma E. Sorrell, wife of Frank Sorrell, a member of this Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature desires to express to our fellow member of this Legislature, Senator Sorrell, our deepest sympathy at this time by reason of his bereavement, and

2. That this Legislature, out of respect for Senator Sorrell, do now adjourn until Friday, April 2, 1943, at 9:00 a.m.

Mr. Crosby moved that the rules be suspended and that Legislative Resolution 19 be considered at once.

The motion prevailed with 42 ayes, no nays, 1 not voting.

Mr. Crosby moved that the resolution be adopted.

The motion prevailed unanimously.

Adjournment

At 11:25 a.m. the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 2, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Asimus, Burnham, Craven, Doyle, Greenamyre, Jeffords, Mischke, Peterson, Sorrell and Weborg, who were excused.

The Journal for the Sixtieth Day was approved as corrected.

Communications

A letter was read from Mrs. John E. Mekota, thanking the members of the Legislature for their floral offering and sympathy extended upon the death of her mother.

Two letters were read from Senator Hugh Butler in regard to Legislative Resolution 12.

A letter was read from Congressman Karl Stefan regarding Legislative Resolution 12.

STANDING COMMITTEE REPORTS

Labor and Public Welfare

LEGISLATIVE BILL 292. Indefinitely postponed.

(Signed) Craven, Chairman.

Revenue

LEGISLATIVE BILL 429. Placed on General File with amendments.

Standing Committee amendments to L. B. 429:

1. Amend the bill, section 1, line 6, by inserting the punctuation "," and striking the word "and" following the word "collected" and by inserting after the word "remitted" the words **"and refunds made".**

2. Amend the bill, section 1, line 11, by reinserting the stricken word "place" and by striking the word **"distribute".**

3. Amend the bill, section 1, by reinserting the stricken words in line 12 and the stricken words "as the" in line 13.

4. Amend the bill, section 1, line 13, by inserting after the words and punctuation "Aviation Fund," the following: **"Aircraft Fuel Tax Fund, which shall be distributed".**

5. Amend the bill, section 1, line 15, by inserting after the figures "1941" the following: **"and all refunds as specifically provided in Sec. 66-405 as amended".**

6. Amend the title, line 6, by inserting after the word and punctuation "Nebraska;" the following: "to provide that twenty per cent thereof, after making certain deductions, shall inure to the state assistance fund;".

(Signed) Raecke, Chairman.

Appropriations

LEGISLATIVE BILL 151. Indefinitely postponed.

LEGISLATIVE BILL 428. Placed on General File.

(Signed) Mueller, Vice Chairman.

Enrollment and Review

LEGISLATIVE BILL 221. Replaced on Select File with amendments.

E and R amendments to L. B. 221:

(a) Amend the legislature amendment by Mr. Osborne, 6th line, by striking the word "for" after "Nebraska" and, in lieu thereof, insert a comma.

(b) Amend Standing Committee amendment No. 2, Section 11, page 4, by striking the period at the end of subsection (6) and, in lieu thereof, inserting a semicolon.

(c) Strike legislature amendment No. 3 by Mr. Greenamyre and in Enrollment and Review Committee amendment No. 4, 7th line, strike the words "each month" .

LEGISLATIVE BILL 141. Replaced on Select File with amendments.

E and R amendments to L. B. 141:

1. In the bill, Section 1, page 2, strike all of lines 2 to 4, inclusive, and all amendments to these lines and, in lieu thereof, insert: "missioner's fund, the sum of two thousand dollars from the chemurgy fund and the sum of five thousand four hundred eighty-eight dollars and twenty-seven cents from the general fund is appropriated and transferred to" .

2. In Select File amendment No. 5, found in the Journal for the fifty-fifth day, page 800, strike the word "Commission" in the 6th line and, in lieu thereof, insert: "Commissioner's".

LEGISLATIVE BILL 150. Correctly engrossed.

Correctly enrolled

L. B. 213 L. B. 201
L. B. 211 L. B. 171

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 213 L. B. 201
L. B. 211 L. B. 171

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The Sifting Committee met in special session on April 1, 1943, and at such meeting the following decisions were arrived at; that the following bills be placed at the top of General File to be considered by the Legislature commencing with the session of April 2, to wit:

L. B. 19
L. B. 38
L. B. 56
L. B. 368
L. B. 263
L. B. 172
L. B. 403
L. B. 294
L. B. 303
L. B. 316
L. B. 265
L. B. 266
L. B. 267
L. B. 274

That these bills be taken up and placed at the top of General File in the order that they occur on General File, that is, of the bills listed above, the bill which is now nearest the top on General File will be placed at the top of General File and considered first. The bill which is now next to the top of General File of the bills above mentioned, will be taken up second and so on.

Respectfully submitted,
(Signed) Matzke, Vice Chairman.

SELECT FILE

LEGISLATIVE BILL 147. E and R amendments, found in the Legislative Journal for the Sixtieth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 38. Read and considered.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend page 7 of the bill, by adding a new section immediately after section 18, reading as follows:

"Sec. 19. This act shall in no manner affect pending actions founded on or growing out of any statute repealed by this act."

2. Amend the title to the bill, line 5, by inserting after the punctuation following the word "proceedings" the following: "to provide a savings clause;".

Referred to E and R for review.

LEGISLATIVE BILL 19. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 172. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 56. Read and considered.

Mr. Cullingham offered the following amendments, which were adopted:

Amend paragraph 3 of the standing committee amendment as follows:

1. Reinsert the stricken matter in lines 10, 11, 12, 13 and 14 on page 2.

2. Insert after the word "forces" and before the word "or" in line 12 the following punctuation and words, ", except upon application to and authorization by the Adjutant General,".

3. Insert the following words and punctuation and strike the quotation marks after the word membership in line 14: "All applications for authority to make or offer a gift, donation, gratuity or anything of value to the forces shall become a permanent record of the Adjutant General's Department and shall be open to public inspection."

Standing Committee amendments, found in the Legislative Journal for the Thirty-seventh Day, as amended were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 265. Read and considered.

Mr. Hanna offered the following amendments, which were adopted; with 24 ayes, no nays, 19 not voting:

That the emergency clause be added to L. B. 265 and the title amended to conform.

Referred to E and R for review.

LEGISLATIVE BILL 303. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 266. Read and considered.

Mr. Raecke offered the following amendments, which were adopted:

Amend Section 1, line 7 by reinserting the stricken word "upon".

Amend the bill Section 1, line 33, by striking the word "same" and inserting in lieu thereof the words "the same or similar".

Referred to E and R for review.

LEGISLATIVE BILL 267. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 403. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 294. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Mr. Raecke offered the following amendments, which were adopted:

Amend Section 2, page 5, line 11 by striking the punctuation "." after the word "required" and inserting in lieu thereof the punctuation ","; and in line 15, strike the word "However" and insert in lieu thereof the word "however".

Unanimous consent was granted to add the names Sam Klaver and William J. Norman as co-introducers.

Referred to E and R for review.

LEGISLATIVE BILL 316. Read and considered.

Mr. Crossland offered the following amendment, which was adopted:

That the word "lifelihood" in the original bill, Section 1, line 30, be corrected to read "livelihood".

Referred to E and R for review.

LEGISLATIVE BILL 368. Read and considered.

Mr. Reavis offered the following amendments, which were adopted:

Amend Sec. 2, line 46 by inserting after the word "Clerk" the words "or Register of Deeds".

Amend the title, line 16, after the word "Clerk" the words "or register of Deeds".

Referred to E and R for review.

LEGISLATIVE BILL 274. Read and considered.

Unanimous consent was granted to add the names Peter P. Gutoski and Harry A. Foster as co-introducers.

Mr. Mueller offered the following amendment, which was adopted:

Add a new paragraph as follows:

Sec. 3. This act shall terminate on March 1, 1947.

Amend the title to conform .

Mr. Rakow offered the following amendments, which were adopted:

Amend the bill by adding an emergency clause section and also amend the title accordingly.

Laid over.

MOTION—To Appoint Committee

Mr. President: I move that a committee from this Legislature be appointed to attend the funeral services for Mrs. Sorrell at Syracuse on Saturday at 1:00 p.m.

(Signed) Crosby

The motion prevailed. The President appointed the following members to serve on said committee:

Conklin
Crossland
Gantz
Hanna
Jeppesen
Neubauer
Osborne
Crosby

Adjournment

At 12:15 p.m. on motion by Mr. Garber the Legislature adjourned until Monday, April 5, 1943 at 10:00 a.m.

Hugo F. Srb
Clerk of the Legislature

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 5, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Dooley, and except Messrs. Klaver, Peterson, Raecke and Sorrell, who were excused.

The Journal for the Sixty-first Day was approved.

Communications

A letter was read from Congressman A. L. Miller, with enclosures from the War Production Board regarding Legislative Resolution 12.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 174. Correctly engrossed.

LEGISLATIVE BILL 147. Correctly engrossed.

LEGISLATIVE BILL 224. Replaced on Select File with amendments.

E and R amendments to L. B. 224:

1. In Enrollment and Review Committee amendment No. 4, last line, strike the insertion "with ," and in lieu thereof, insert ", with". In

Enrollment and Review amendment No. 15, strike the period in the last line, before the quotation mark, and in lieu thereof insert a comma.

2. In the title, in the bill, page 1, 11th line, insert a comma at the end of the line, after the word "schoolhouse"; 12th line, strike the comma after the word "site".

3. In the bill, Section 1, subsection (8), page 6, insert "or her" at the end of line 1, after the word "his".

(Signed) James H. Anderson, Chairman.

MOTION—To Reconsider

Mr. President: I move that the Legislature reconsider its action on L. B. 340 and that the same be placed on General File.

(Signed) Doyle.

A record vote was requested.

Voting in the affirmative, 5:

Asimus
Doyle
Gutoski
Jeffords
Norman

Voting in the negative, 12:

Anderson, D. S.
Burnham
Greenamyre
Hanna
Jeppesen
Mekota
Mischke
Neubauer
Ogden
Osborne
Reavis
Weborg

Not voting, 26:

Anderson, James H.
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Heiliger
Hubka
Klaver
Lee
Matzke
Mueller
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Tvrdik

The motion was lost.

SELECT FILE

LEGISLATIVE BILL 60. Passed over.

LEGISLATIVE BILL 221. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 141. E and R amendments, found in the Legislative Journal for the Sixty-first Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 274. Mr. Crosby offered the following amendment which was adopted:

Strike subdivision (10) in Sec. 1.

Referred to E and R for review.

LEGISLATIVE BILL 263. Read and considered.

Referred to E and R for review.

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The Sifting Committee in special session on Wednesday, March 31, 1943 agreed that the following appropriation bills 284, 317, 166, 132, 412, 188 be advanced to the top of General File and be placed immediately below L. B. 204 and be considered in the order they now appear on General File.

(Signed) Tvrdik, Chairman.

So ordered.

GENERAL FILE (Continued)

LEGISLATIVE BILL 284. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fourth Day, were adopted.

Mr. Mischke offered the following amendment:

Page 2, Sec. 1, in line 6 after the word "Adams" add ", Knox and Cedar".

Laid over. Retains place on File.

LEGISLATIVE BILL 317. Passed over. Retains place on File.

LEGISLATIVE BILL 166. Passed over. Retains place on File.

LEGISLATIVE BILL 132. Read and considered.

Mr. Conklin offered the following amendment, which was adopted:

Amend Standing Committee amendment No. 1, line 18, following the word "principally" strike the word "for" and insert in lieu thereof the word "from".

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted as amended.

Mr. Mueller moved to refer to E and R for review.

Mr. Hanna moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 9:

Anderson, D. S.
Anderson, James H.
Crosby
Hanna
Lee
Matzke
Mischke
Rakow
Reavis

Voting in the negative, 21:

Asimus
Burnham
Carmody
Conklin
Craven
Cullingham
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Norman
Osborne
Thomas
Tvrdik
Weborg

Not voting, 13:

Bowman
Brodahl
Crossland
Dooley
Doyle
Garber
Hubka
Klaver
Ogden
Peterson
Raecke
Sorrell
Thompson

The motion was lost.

Mr. Mueller's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL 412. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 188. Passed over. Retains place on File.

Adjournment

At 11:54 a. m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 6, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Raecke and Sorrell, who were excused.

The Journal for the Sixty-second Day was approved.

Petitions and Memorials

The following members introduced petitions: All members, one, opposing L. B. 204.

STANDING COMMITTEE REPORTS

Judiciary.

LEGISLATIVE BILL 383. Indefinitely postponed.

LEGISLATIVE BILL 333. Indefinitely postponed.

LEGISLATIVE BILL 278. Indefinitely postponed.

LEGISLATIVE BILL 94. Indefinitely postponed.

LEGISLATIVE BILL 17. Indefinitely postponed.

Mr. President: Under the present law the Legislative Council is composed of three members from each of the five congressional districts. Inasmuch as there are but four congressional districts at this time, the Judiciary Committee at its regular meeting on April 5 voted by unanimous vote of the members present to introduce a bill to provide for the election of four members from each of the congressional districts.

(Signed) Gantz, Chairman

Enrollment and Review

Presented to Governor for Approval

Friday, April 2, 1943 at 3:50 p.m.

L. B. 130
L. B. 171

L. B. 201
L. B. 211
L. B. 213

L. B. 301
L. B. 409

(Signed) James H. Anderson, Chairman

Committee on Committees

Mr. President: Your Committee on Committees hereby reports favorably on the following appointments:

Mr. Donald D. Mapes	Aeronautics Commission
Mr. Roscoe Hewitt	Racing Commission
Mr. Grove Porter	Racing Commission
Mr. Robert Armstrong	Tax Commissioner

(Signed) Tvrdik, Chairman

MOTION—To Adopt Report

Mr. President: I move that the report of the Committee on Committees be adopted and that the appointments be confirmed by the Legislature, and that each appointment be voted on separately.

(Signed) Tvrdik

The motion prevailed.

Vote on Mr. Mapes

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Craven
Doyle
Gutoski
Mekota
Mischke
Raecke
Reavis
Sorrell
Thompson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Mapes confirmed.

Vote on Mr. Hewitt

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mueller
Neubauer
Norman
Ogden
Peterson
Rakow
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Craven
Doyle
Gutoski
Mekota
Mischke
Osborne
Raecke
Reavis
Sorrell
Thompson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Hewitt confirmed.

Vote on Mr. Porter

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Rakow
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Brodahl
Craven
Doyle
Gutoski
Mekota
Osborne
Raecke
Reavis
Sorrell
Thompson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Porter confirmed.

Vote on Mr. Armstrong

Voting in the affirmative, 31:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Peterson
Rakow
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 12:

Carmody
Craven
Doyle
Gantz
Gutoski
Mekota
Neubauer
Osborne
Raecke
Reavis
Sorrell
Thompson

Having received a majority of the votes of all members, the President declared the appointment of Mr. Armstrong confirmed.

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The Sifting Committee met in special session on April 5, 1943, and at such meeting the following decisions were arrived at: that the following bills be placed at the top of General File to be considered by the Legislature commencing with the session of April 6, 1943, to wit:

L. B. 256
L. B. 185
L. B. 410
L. B. 203
L. B. 411
L. B. 416
L. B. 251
L. B. 350
L. B. 417
L. B. 322
L. B. 336
L. B. 361
L. B. 277
L. B. 219
L. B. 421
L. B. 423
L. B. 428

That these bills be taken up and placed at the top of General File in the order that they occur on General File, that is, of the bills listed above, the bill which is now nearest the top on General File will be placed at the top of General File and considered first. The bill which is now next to the top of General File of the bills above mentioned, will be taken up second and so on.

Respectfully submitted,
(Signed) Tvrdik, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION 20. Permit to Kill Pheasants.

Introduced by Tom C. Osborne of Morrill.

WHEREAS, There is a shortage of many foods in the United States, and

WHEREAS, Shortage of meat has led to the rationing of the same, and

WHEREAS, Farmers and ranchmen harbor and furnish food for game birds and particularly pheasants throughout the year, therefore

BE IT RESOLVED by the Legislature that it recommend to the Game and Fish Commission that it provide rules and regulations permitting farmers and ranchmen, actually residing on the land, to kill not to exceed one male pheasant per week from May 15th until the opening of the regular game season.

STANDING COMMITTEE REPORT

Appropriations

LEGISLATIVE RESOLUTION 14. Placed on General File.

(Signed) Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 432. By Committee on Judiciary
Harry E. Gantz of Box Butte, Chairman

A bill for an act to amend section 50-501, C. S. Supp., 1941, relating to the Legislature; to provide that the Legislative Council shall consist of sixteen members, four of whom shall be selected from each congressional district; to repeal the original section; and to declare an emergency.

MOTION—To Suspend Rules and Place on General File.

Mr. Gantz moved that the rules be suspended and that L. B. 432 be placed on General File.

The motion prevailed with 33 ayes, no nays, 10 not voting.

President Signs

While the Legislature was in session and capable of transacting business, the President signed

Legislative Resolution 18

SELECT FILE

LEGISLATIVE BILL 60. Passed over.

LEGISLATIVE BILL 224. E and R amendments, found in the Legislative Journal for the Sixty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 284. Mr. Jeffords moved to postpone indefinitely.

At 10:00 a.m. Mr. Cullingham asked unanimous consent to finish the consideration of L. B. 284 before taking up L. B. 204 on Special Order.

No objection was offered. So ordered.

After discussion Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 31 ayes, no nays, 12 not voting.

Vote was taken and Mr. Jeffords' motion was lost with 6 ayes, 28 nays, 9 not voting.

Mr. Mischke withdrew his amendment, found in the Legislative Journal for the Sixty-second Day.

Referred to E and R for review.

Special Order

LEGISLATIVE BILL 204. Mr. Peterson renewed his motion to adopt the second part of his amendments (last paragraph) found in the Legislative Journal for the Fifty-eighth Day.

Mr. Craven asked unanimous consent to withdraw his amendments, found in the Legislative Journal for the Fifty-sixth Day.

Objection was raised by Mr. James H. Anderson.

Mr. Peterson's amendment (last paragraph) was adopted with 27 ayes, 3 nays, 13 not voting.

Mr. Cullingham offered the following amendments:

I move to amend Section 2 of the Amendment to L. B. 204, offered by Senator Craven, found on Page 813 of the Journal, to make the Amendment read as follows:

2. Amend pages 4 and 5 of the Bill by striking all of Section 5 and inserting in lieu thereof the following:

"Section 5. Such members of the Commission as are appointed by the Mayor of the Metropolitan City, with the approval of the Governing Body of such City, shall have been for not less than five years prior to their appointment, and shall continue to be, residents of the Metropolitan City. Members, if any, appointed by the Governor, shall have been for not less than five years prior to their appointment, and shall continue to be, residents of the Counties from which they are respectively appointed. All such members shall be selected on a non-political basis; shall be prominently identified with the commercial, business or civic interests of the Metropolitan City or of the Metropolitan Area.

"Members of the Commission from the Metropolitan City, shall, subject to the recall provisions of this Act, hold office, as to each two of such members (except the Mayor) for four, six and eight years, respectively as specified in their appointments upon organization of the Commission, and until their successors are selected and qualified. After the expiration of each of the above prescribed terms of office, each successor member, other than the Mayor, shall serve for a term of six years. As to members from the Metropolitan City, the remaining members of the Commission shall name by majority vote, successors to, and fill, subject to the confirmation or approval by the Governing Body of the City, all vacancies in number (except as to the Mayor and his successor in office) resulting, and which shall result, from expiration of term of office, death or disability, resignation, removal from office as hereafter provided, attainment of age 75, prior permanent removal from the City.

"Members of the Commission originally appointed by the Governor, if any, shall hold office for terms of three years and of six years, respectively as specified in their appointments and thereafter for six year terms.

"Vacancies in membership appointed by the Governor shall be filled by appointment by the Governor for the unexpired term.

"Members shall be eligible to succeed themselves for one additional term and no more. No officer or employee of said City, except the Mayor thereof, nor any officer or employee of any City, except the Mayor thereof, nor any officer or employee of any of the Counties in the Metropolitan Area, whether holding a paid or unpaid office, shall be eligible to such Commission.

"Members of the Commission shall hold their office subject to recall as in this act provided."

No further action taken.

Visitor

Mr. Mischke introduced Mr. Al Misegadis of Talmage who addressed the Legislature briefly.

Approved by the Governor

April 5, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 409
L. B. 301
L. B. 213
L. B. 201

Respectfully submitted,
(Signed) Robert M. Armstrong
Secretary to the Governor.

Recess

At 12:04 p. m. on motion by Mr. Mischke the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Raecke and Mr. Sorrell, who were excused.

GENERAL FILE

LEGISLATIVE BILL 204. The motion was restated to adopt Mr. Cullingham's amendments above set out.

The motion prevailed with 13 ayes, no nays, 30 not voting.

Mr. Crosby offered the following amendment and moved its adoption:

Amend Sec. 5, as amended, by striking the last sentence of the second paragraph of Sec. 5, as amended, and substituting in lieu thereof the following sentence: "As to members from the Metropolitan City, all vacancies in number (except as to the Mayor and his successor in office) resulting, and which shall result, from expiration of term of office, death or disability, resignation, removal from office as hereafter provided, attainment of age 75, or prior permanent removal from the City, shall be filled by appointment by the Mayor of the city with confirmation by the governing body thereof."

Record vote was requested.

Voting in the affirmative, 13:

Anderson, D. S.
Burnham
Carmody
Crosby
Crossland
Doyle
Gantz
Garber
Jeffords
Mekota
Mischke
Peterson
Rakow

Voting in the negative, 16:

Anderson, James H.
Asimus
Brodahl
Conklin
Cullingham
Dooley
Greenamyre
Gutoski
Heiliger
Klaver
Lee
Matzke
Neubauer
Norman
Thompson
Tvrdik

Not voting, 14:

Bowman
Craven
Foster
Hanna
Hubka
Jeppesen
Mueller
Ogden
Osborne
Raecke
Reavis
Sorrell
Thomas
Weborg

The amendment was not adopted.

Mr. Crosby offered an amendment.

Mr. Lee moved to recess for ten minutes.

The motion was lost.

Mr. Crosby withdrew his amendment last offered.

Mr. Tvrdik moved that the Crosby amendment to the Cullingham amendment be reconsidered.

Record vote was requested:

Voting in the affirmative, 26:

Anderson, D. S.
Bowman
Brodahl
Burnham
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Klaver
Lee
Mekota
Mischke
Norman
Ogden
Peterson
Reavis
Thomas
Tvrdik

Voting in the negative, 7:

Asimus
Carmody
Doyle
Heiliger
Neubauer
Thompson
Weborg

Not voting, 10:

Anderson, James H.
Conklin
Craven
Jeppesen
Matzke
Mueller
Osborne
Raecke
Rakow
Sorrell

The motion prevailed.

The Crosby amendment was restated.

Record vote was requested.

Voting in the affirmative, 26:

Anderson, D. S.
Bowman
Brodahl
Burnham
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Klaver
Lee
Mekota
Mischke
Norman
Ogden
Peterson
Reavis
Tvrdik

Voting in the negative, 2:

Matzke
Thompson

Not voting, 15:

Anderson, James H.
Asimus
Carmody
Conklin
Craven
Heiliger
Jeppesen
Mueller
Neubauer
Osborne
Raecke
Rakow
Sorrell
Thomas
Weborg

The Crosby amendment was adopted.

Vote was taken on Mr. Craven's amendments as amended, found in the Legislative Journal for the Fifty-sixth Day.

Record vote was requested.

Voting in the affirmative, 19:

Anderson, James H.
Brodahl
Cullingham
Dooley
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Lee
Matzke
Mekota
Mischke
Norman
Peterson
Tvrdik

Voting in the negative, 8:

Asimus
Carmody
Craven
Doyle
Jeffords
Neubauer
Thompson
Weborg

Not voting, 16:

Anderson, D. S.
Bowman
Burnham
Conklin
Crosby
Crossland
Gantz
Jeppesen
Mueller
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas

The Craven amendment was adopted.

Mr. Peterson offered the following amendments, which were adopted:

Amend page 2, section 1, by striking the word "and" in line 23, and by striking the punctuation at the end of line 27, substituting a semicolon in lieu thereof, and adding the following: "and (11) 'Metropolitan Area' shall mean the county in which the Metropolitan City is located and counties immediately contiguous to such county."

Mr. Reavis moved that amendments to L. B. 204 be considered in sequence according to the number of the section sought to be amended in the printed bill.

The motion prevailed.

Mr. Doyle moved that each section be read before the Chair accepts amendments to said section.

The motion prevailed.

Mr. Craven offered the following amendments, which were adopted:

Amend the printed bill, Sec. 2, by striking from page 3 lines 4 and 5, inclusive, the words beginning with the first word "and" in line 4 and ending with the word and punctuation "state," in line 5.

Mr. Cullingham offered the following amendment, which was adopted:

Amend page 4, section 4, by inserting in line 19 after the word "necessary" and also in line 21 after the words "municipalities" the words: "within the metropolitan area".

Mr. Cullingham offered the following amendment:

Amend page 4, section 4, lines 21 and 22, by striking the words "for the" at the end of line 21 and all of line 22 and inserting in lieu thereof the following: "and shall also extend to the construction, maintenance and operation of trunk lines to connect with generating plants of".

Mr. Peterson offered the following amendment to the above Cullingham amendment:

Amend the Cullingham amendment by inserting after the word "trunk" the word "transmission".

The Peterson amendment was adopted.

The Cullingham amendment, as amended, was adopted.

Mr. Cullingham offered the following amendment:

Amend page 4, section 4, by striking the punctuation after the word "law" in line 27, inserting a semicolon in lieu thereof, and then adding: "; provided that, if the Commission acquires a utility plant from a single owner, or any but not less than the controlling capital stock of such utility, and the volume of electric current sold by such single owner, during the calendar year next preceding the date of the acquisition of such utility system, directly to ultimate consumers in Nebraska within the metropolitan area is more than ten (10) times greater than the volume of current sold by such single owner, during said calendar year, directly to ultimate consumers in Nebraska outside of said metropolitan area, the Commission shall have power and authority to acquire the entire utility system of said single owner and to continue to supply service to the area served by such system; but the Commission shall not acquire any other utility system or extend the scope of its service outside of the metropolitan area except in or to another state or except as herein provided."

Mr. Peterson offered the following amendment:

Amend the Cullingham amendment by striking the following: "or any but not less than the controlling stock of such single owner".

No further action taken.

Adjournment

At 4:42 p. m. on motion by Mr. James H. Anderson the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 7, 1943

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Raecke and Sorrell, who were excused.

The Journal for the Sixty-third Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 141. Correctly engrossed.

LEGISLATIVE BILL 403. Placed on Select File.

LEGISLATIVE BILL 19. Placed on Select File with amendments.

E and R amendments to L. B. 19:

1. In the bill, Section 1, page 2, line 6, strike the word "to" before the word "accept" and in lieu thereof, insert the word "To"; strike the word "to" at the end of line 13, and in line 14, strike the word "to" before the word "do"; line 26, before the word "when", insert: "if and".

2. In the bill, Section 1, page 2, strike the comma in line 4, after "subdivisions"; line 7, after "agency"; line 9, after "funds"; line 10,

after "material"; at the end of line 11, after "distribute"; at the end of line 12, after "materials"; line 14, after "contracts"; line 15, after "things"; line 17, after "licenses".

3. In the bill, Section 3, page 2, strike the comma in line 1, after "act", in line 3 after "circumstance" and in line 4 after "act"; insert a comma in line 5 after "circumstances".

4. In the bill, title, page 1, strike the comma at the end of the 3rd line, after the word "materials"; at the end of the 6th line, after "thereof" insert: "; providing for the"; strike the word "and" at the beginning of the 7th line; after "same;" and before the word "and", insert: "providing for certain powers, authorities and limitations in regard thereto; providing that this act shall be liberally construed; providing a saving clause; providing that this act shall expire by its own limitation on March 1, 1945;".

LEGISLATIVE BILL 172. Placed on Select File with amendments.

E and R amendments to L. B. 172:

1. In the bill, title, Page 1, 3rd line, strike the word "for" after the word "Nebraska" and in lieu thereof, insert a comma.

LEGISLATIVE BILL 265. Placed on Select File with amendments.

E and R amendments to L. B. 265:

1. In the bill, Section 1, page 2, insert the punctuation "," in line 5, after "**lands**" and in line 6, after "**purposes**" ; line 19, strike: "**the sale of such land the same**" and in lieu thereof, insert: "**such sale, the said land**".

2. In the bill, Section 2, pages 2 and 3, line 7, strike the comma after "**bidder**" and in lieu thereof, insert the word "**but**"; line 9, strike the word "**shall**" and in lieu thereof, insert: "~~shall~~ **will**"; line 10, strike the word "made" and in lieu thereof, insert: "~~made~~"; line 13, strike: ", or" and in lieu thereof, insert: "~~;~~ or ,"; line 15, strike: "; and" and in lieu thereof, insert: "~~;~~ ~~and~~. **The**" ; at the end of line 15, after the word "by" insert the word "**the**"; line 16, strike: "printer, his" and in lieu thereof, insert: "~~printer~~ **publisher**, ~~his~~"; line 17, strike: ", or" and in lieu thereof, insert: "~~;~~ **of such newspaper** or **by some**" , after the word "knowing" insert the word "**about**", and strike: ", which" and in lieu thereof, insert: "~~;~~ ~~which~~ **and**"; line 19, after the word "Funds" insert "~~;~~" ; insert the punctuation "," in line 4 after "**sold**", line 7 after "**located**", line 37, after "**realty**".

3. In the bill, title, page 1, insert the word "an" at the end of the 5th line, after the word "for"; strike the word "and" before "to repeal" in the 7th line, and at the end of said line, strike the period and insert the following: "; and to declare an emergency.".

4. In accordance with the legislature amendment by Mr. Hanna, insert a new section, as follows: "Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

LEGISLATIVE BILL 266. Placed on Select File with amendments.

E and R amendments to L. B. 266:

1. In the bill, Section 1, page 2, line 3, strike the word "He" and in lieu thereof, insert: "**The Superintendent of Public Instruction** ~~He~~" and strike the comma after the word "shall" and in lieu thereof, insert "~~,~~"; line 4, strike: "Monday in July and the third Monday in", and in lieu thereof, insert: "~~Monday~~ **Mondays** in July and ~~the third Monday in~~"; line 5, strike the word "and" after "treasury" and in lieu thereof, insert: "~~and~~ ,"; lines 6 and 7, strike: "which apportionment shall be" and in lieu thereof, insert: "~~which apportionment shall be~~"; line 13, after the word "**Instruction**" insert: "**shall,**"; line 14, strike the word "shall" and in lieu thereof, insert: "~~shall~~"; line 20, strike the word "were" after "purposes" and in lieu thereof, insert: "~~were~~ **if**" , and after the word "land" and before the word "subject" insert the word "**were**"; strike the comma at the end of line 20, and the words "and to" at the beginning of line 21, and in lieu thereof, thereof, insert: "~~,~~ ~~and to~~ . **To**; line 25, strike: "; and the" and in lieu thereof, insert: "~~;~~ ~~and the~~ . **The**"; lines 26 and 27, strike: "; Provided, further, that the" and in lieu thereof, insert: "~~;~~ ~~Provided, further that the~~ . **The**"; line 27, strike: "of directors" and in lieu thereof, insert: "~~of directors~~"; line 30, strike: "Commissioner of Public Lands and Buildings" and in lieu thereof, insert: "~~Commissioner~~ **Board of** ~~Public~~ **Educational** Lands and ~~Buildings~~ **Funds**"; lines 31 and 32, strike: "of directors deem the land" and in lieu thereof, insert: "~~of directors deem the land~~ **deems it is**;" line 34, after the word "investigate", insert: "**the facts involved in**" and in said line, after the word "and" and before the word "make" insert: "**, if the contention of the school board is correct,**".

2. In the bill, Section 1, page 2, insert the punctuation "," in line 12 after "that"; in line 14 after "distribute"; line 16, after "lands"; line 17, after "**deed**" and also after "**lands**"; line 19, after "taxation"; at the end of line 21, after "distributed"; line 31, after "land".

3. In the bill, title, page 1, 10th line, after "taxation;" insert the following: "providing certain procedure in regard thereto; providing for

an appeal to the Board of Educational Lands and Funds by the board of a school district, as to the appraised value of such saline and other designated lands; providing for the procedure upon such an appeal;". and insert a comma in the 6th line, after "distribute".

4. In the bill, Section 1, page 2, line 20, insert the punctuation "," after the word "**lands**"; line 31, insert the word "**school**" after the word "such" and before the word "board"; line 33, strike: ", and such commissioner" and in lieu thereof, insert: "~~, and such commissioner~~ . **The Board of Educational Lands and Funds**".

LEGISLATIVE BILL 267. Placed on Select File with amendments.

E and R amendments to L. B. 267:

1. In Standing Committee amendment No. 1, last line, after the word "district" and before the quotation mark, insert: "; to provide a method and procedure therefor; to provide where such land shall thereafter be taxed for school purposes".

2. In Standing Committee amendment No. 2, lines 4 and 5, strike: "such school district" and in lieu thereof, insert: "which"; at the end of line 5, strike the word "land" and in lieu thereof, insert the word "district"; lines 10 and 11, strike: "; and such" and in lieu thereof, insert: ". Such"; lines 11 and 12, strike: "with the clerk and treasurer of the county"; strike the period at the end of line 12, and in lieu thereof, insert: ", transferring such land, with the clerk and treasurer of the county.".

3. In Standing Committee amendment No. 2, strike the comma in the following places: line 2, after "schools"; line 3, after "owner", after "owners" and after "record"; line 4, after "district". Insert a comma in line 3, after "land".

4. In the bill, Section 2, page 3, line 2, after the word "and" and before the word "effect", insert the word "take", and after the word "effect" insert a comma.

LEGISLATIVE BILL 316. Placed on Select File with amendments.

E and R amendments to L. B. 316:

1. In the bill, Section 1, page 2, line 6, after the word "subsistence" insert the following: "(a)"; line 7, strike the word "and" after "sailors" and in lieu thereof, insert: ", ~~and~~"; line 8, strike the word "also" and in lieu thereof insert: "~~also~~"; line 9, strike: "or navy," and

in lieu thereof, insert: "~~or~~, navy ;", and in said line, strike the word "or" before the word "the", at the end of the line, and in lieu thereof insert "~~or~~"; line 10, strike the word "or" before the word "who" and in lieu thereof, insert "~~or~~"; line 11, strike the word "or" before the word "the" and in lieu thereof, insert "or"; line 12, strike: "or during" and in lieu thereof, insert: "~~or during~~"; strike "or during" at the end of line 12, and the word "the" at the beginning of line 13, and in lieu thereof, insert: "~~or during the~~"; line 19, strike: "and also" and in lieu thereof, insert: "~~and also~~ **(b) to**"; lines 20 and 21, strike: "who shall have" and in lieu thereof, insert: "~~who shall have~~ **has**"; line 22, strike the word "and" before "the widows" and in lieu thereof, insert: "~~and~~ **(c) to**"; line 24, strike: ", and" and in lieu thereof, insert: "; and **(d) to**"; line 29, strike the word "and" at the beginning of the line, and in lieu thereof, insert: ", ~~and~~", and strike the word "and" after the word "years", and in lieu thereof, insert: ", ~~and~~".

2. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert ";" in line 7, after "marines"; line 13, before the word "who" and in line 18, before the word "and".

3. In the bill, Section 1, page 2, insert the punctuation "," in line 13, after the word "shall"; line 16, after "disabled"; line 19, after "wife"; line 28, after "years".

4. In the bill, title, page 1, 5th line, strike the word "or" before the word "certain" and in lieu thereof insert the word "and", and at the end of said line, after the word "of", insert the word "the".

LEGISLATIVE BILL 368. Placed on Select File with amendments.

E and R amendments to L. B. 368:

1. In the bill, Section 1, page 2, line 3, insert the punctuation "," after the word "penalties"; line 10, after the word "such" and before the word "property", insert: "**real or personal**".

2. In the bill, Section 2, pages 2, 3 and 4, line 3, before the word "dissolution", insert the word "**the**"; line 6, strike: "; in" and in lieu thereof, insert: "~~;~~ ~~in~~ . **In**"; and in said line, after "by" and before "voluntary", insert the word "**the**"; insert the word "**the**" in line 8, before the word "dissolution" and in line 9, before the word "action"; line 10, strike: "foreign or domestic" and in lieu thereof, insert: "~~domestic or~~ foreign **or domestic**"; line 14, after the word "as" and before the word "costs", insert: "**and have the same priority as other**"; at the beginning of line 15, before the word "paid" insert the word "**be**", and in said line, strike: ", and shall have the" and in line 16, strike: "same priority as

other costs." and in lieu thereof, insert: "~~;~~ ~~and shall have the same priority as other costs~~."; line 19, strike: "by registered mail" and in lieu thereof, insert: "~~by registered mail~~", and in said line, after the word "letter" insert: "**by registered mail,**"; lines 20 and 21, strike: "which letter shall contain", and in lieu thereof, insert: "~~which letter shall contain~~ **containing**"; line 25, strike: "; and that if" and in lieu thereof, insert: "~~;~~ ~~and that if~~ . **If**"; strike: "the mailing of" in line 31, all of line 32, and "address of the corporation" in line 33, and in lieu thereof, insert: "~~the~~ **such** mailing of ~~the~~ **such a** registered letter, **containing such notice and declaration, so** ~~correctly~~ addressed ~~to the last known address of the corporation~~"; line 34, insert the word "**an**" after the word "such" and before the word "entry"; line 35, strike the word "his" and in lieu thereof, insert: "~~his~~ **that**"; strike all of lines 37 and 38, and in lieu thereof, insert: "after ~~the~~ **such** mailing of ~~the~~ **such a** registered letter , **containing such notice and declaration, so** ~~correctly~~ addressed ~~to the last known address of the corporation~~ , all"; insert the word "**a**" after the word "**unless**" in line 44; line 45, strike the word "**of**" after the word "**year**" and in lieu thereof, insert: "**after**"; strike the word "or" at the end of line 48, and in lieu thereof, insert: "~~or~~ ,"; line 49, after the word "officer", insert: "**or attorney**"; strike: "or attorney for such" in line 49 and the word "corporation" at the beginning of line 50, and in lieu thereof, insert: "~~or attorney for such corporation~~"; line 50 after the word "make" insert the following: "**and file with the Secretary of State**"; line 56, strike the word "of" and in lieu thereof, insert: "~~as a~~ **of**".

3. Insert the punctuation "," in the bill, Section 2, line 3, after "corporation"; line 4, after "charter"; line 10, after "corporation"; line 22, after "declaration"; line 23, after "that"; line 24, after "letter"; line 27, after "letter"; line 45, after "**State**"; line 46, after "**act**".

4. Strike the punctuation "," and in lieu thereof insert "~~;~~" in the bill, Section 2, in line 9, after "court"; line 21, after "due".

5. In the bill, title, page 1, 12th line, strike the word "shall"; 13th line, after the word "unless" insert the word "a"; 15th line, after the word "year" strike the word "of" and in lieu thereof insert the word "after"; insert a comma in the 10th line after "corporations", 11th line after "effective", 14th line after "State", 15th line after "act".

LEGISLATIVE BILL 412. Placed on Select File with amendments.

E and R amendments to L. B. 412:

1. In the bill, Section 2, page 2, line 2, strike the word "his" after the word "draw" and before the word "warrants".

2. In the bill, Section 3, page 2, line 2, insert the word "take" after the word "and" and before the word "effect", and insert a comma after the word "effect".

LEGISLATIVE BILL 100. Placed on Select File with amendments.

E and R amendments to L. B. 100:

1. Strike Standing Committee amendment No. 1, and in Section 1, of the bill, page 2, line 3, strike: "of the State of Nebraska" and, in lieu thereof, insert: "of State, who shall be chairman of the commission,".

2. Strike Standing Committee amendment No. 2, also amendment No. 18, as the original bill is correct as to the spelling of these words.

3. In Standing Committee amendment No. 7, 2nd line, insert the word "of" after the word "Any" and before the word "such".

4. In Standing Committee amendment No. 8, 2nd line, insert the word "the" after the word "of" and before the word "State".

5. In Standing Committee amendment No. 10, strike the period at the end of the new inserted matter, and in lieu thereof, insert a comma.

6. In Standing Committee amendment No. 15, strike the word "are" at the end of the 2nd line, after the word "funds" and, in lieu thereof, insert the word "then"; insert a comma, in the 2nd line, after "effective" and before "any".

7. In the first legislature amendment by Mr. Raecke, strike the word "nor" at the beginning of the new matter inserted, and in lieu thereof, insert the word "or".

8. In the legislature amendment by Mr. Lee, of March 24th, strike said amendment in so far as it affects the title.

9. In the first legislature amendment by Mr. Greenamyre, on March 25th, strike the comma after the word "Lincoln".

10. In the third legislature amendment by Mr. Greenamyre, on March 25th, 2nd line, insert the word "State" after the word "The" and before the words "Real Estate", and strike the word "nor"; in the third line, strike: ", or any of its employees," and in lieu thereof, insert: "and

the employees of such commission and officer" ; after the word "shall" and before the word "prepare", insert the word "not", and after the word "or" and before the word "cause", insert: "distribute or"; in the 4th line, after the word "prepared" and before the word "distributed", strike the word "and" and insert the word "or"; in the 6th line, after the word "examinations" and before the word "license", strike the word "or" and in lieu thereof, insert the word "for", and in said line, strike: "for the purpose of"; insert a comma in the 4th line after "distributed" and also after "material", in the 5th line after "nature" and also after "applicants".

11. In the 4th legislature amendment by Mr. Greenamyre, on March 25th, strike all of the first part of the newly inserted matter, up to and including the word "Commission" in the 4th line, and in lieu thereof, insert: "The commission may use such part of the money in this fund as is necessary to be used by it".

12. In the bill, Section 1, page 2, lines 1 and 2, strike: "Nebraska real estate commission" and in lieu thereof, insert: "State Real Estate Commission"; line 6, insert a comma before the word "appointed" and also before the word "shall"; strike: "and who shall" at the end of line 7, all of line 8, and "period of" in line 9, and in lieu thereof, insert: "who have engaged in the real estate business for".

13. In the bill, Section 2, page 2, strike all of lines 2 to 15, inclusive, and all amendments thereto, and in lieu thereof, insert: "Governor shall appoint four members of the commission who shall hold office for the following periods of time from the effective date of this act: One for one year; one for two years; one for three years; and one for four years. At the expiration of the term of any member of the commission, the Governor shall appoint a successor for a term of four years. In the event of a vacancy on the commission, the Governor"; line 21, strike: "he holds" and in lieu thereof, insert: "holding".

14. In the bill, Section 3, pages 2 and 3, strike the words "who shall" in lines 3 and 4; line 5, strike: "who shall"; line 6, after the word "meeting", insert: "of the commission"; line 9, strike the word "shall" and in lieu thereof, insert: "is authorized to"; line 11, strike: "and shall be authorized" and in lieu thereof, insert a comma; line 12, strike: "as may be employed by it"; line 13, after the word "out" insert the word "the".

15. In the bill, Section 6, pages 3 and 4, line 6, strike: ", who" and in lieu thereof, insert: "who,"; line 8, strike the word "or" after the word "intention" and in lieu thereof insert a comma; line 31, strike the word "or" at the end of the line; line 32, strike the word "or" before

the word "upon"; line 35, strike the word "or" after the word "offer" and in lieu thereof, insert a comma; insert a comma in line 4, before "within"; line 8, after "who"; at the end of line 24, after "assists"; and strike the comma in line 29, after "association"; at the end of line 30, after "lots"; line 33, after "otherwise".

16. In the bill, Section 7, page 4, line 3, strike the word "or" after "directly" and in lieu thereof, insert a comma, and strike the word "or" at the end of said line; line 5, strike the word "to" before the word "negotiate"; and in said line, strike the word "or" before the word "purchase"; line 6, strike the word "or" at the beginning of said line, before the word "exchange", and in lieu thereof, insert a comma; at the end of line 6, after "estate." insert the following: "The word or term "he", as used in this act, shall also mean and include "she" and "it". The word or term "his", as used in this act, shall also mean and include "her" and "its". The word or term "person", as used in this act, shall also mean and include "partnership", "association" or "corporation"." Insert a comma in line 2 after "who", line 3 after "kind" and also after "employed".

17. In the bill, Section 8, pages 4 and 5, strike ", which" in line 1, all of line 2, and "association or corporation," in line 3; line 4, strike the comma after the word "salesman"; line 5, after the word "the" and before "Real Estate" insert the word "State", and after the word "Commission" insert: ", as"; line 6, strike the period after the word "for" and in lieu thereof, insert a semicolon; line 8, strike the comma after the word "Nebraska"; line 10, strike: "real estate"; line 13, strike: "shall have" and in lieu thereof, insert the word "has"; strike all of lines 14 and 15, and in lieu thereof, insert: "if the annual fee has been paid, as provided for herein.".

18. In the bill, Section 9, page 5, insert a comma in line 1, after the word "person" and in line 3, after the word "state".

19. In the bill, Section 10, page 5, strike "co-" in lines 1, 4 and 6; insert a comma in line 4, after "corporation", line 6 before "who" and in line 7 after "corporation"; strike the comma in line 5 after "broker".

20. In the bill, Section 11, pages 5 and 6, strike all of line 2 after the word "kind", all of line 3, and "real estate, or" in line 4, and in lieu thereof, insert: ", in the buying, selling, exchanging, leasing or renting of real estate or in"; line 8, after the word "not" and before "apply" insert: "(a)"; strike: "nor shall the" in line 10, and "provisions of said sections" in line 11, and in lieu thereof, insert: "(b)"; line 15, strike: "or sale, or exchange or" and in lieu thereof, insert: ", sale, exchange,"; line 16, strike: "; nor shall said sections" and in lieu thereof, insert:

", (c)"; strike the semicolon at the end of line 18, after the word "law", and strike "nor shall it" in line 19, and in lieu thereof, insert: "or (d)"; line 20, before the word "trustee" insert the word "a" and before the word "administrator" insert the word "an"; line 21, strike the word "or" before the word "any"; line 22, strike the word "nor"; insert a comma in line 1 after the word "performed", at the end of line 5 after "person", in line 8 after "who" and also at the end of the line, after "lessor".

21. In the bill, Section 12, page 6, line 1, strike: "Real Estate Commission" and in lieu thereof, insert the word "commission"; line 2, insert a comma after the word "seal"; strike the word "under" at the end of line 6, and all of line 7, except "shall be received", and in lieu thereof, insert: "certified by the signature of the director and the seal of the commission,".

22. In the bill, Section 13, page 6, line 2, after the word "the" and before "Real Estate", insert the word "State"; line 3, insert a comma after the word "law"; line 4, strike the comma after the word "act"; line 9, strike the word "Commission" and in lieu thereof, insert: "commission's".

23. In the bill, Section 14, pages 6 and 7, strike: "with the Real Estate Commission" in lines 2 and 3; strike: ", the application to" in lines 3 and 4, and in lieu thereof, insert: "with the commission. The application shall"; line 7, strike: "; and" and in lieu thereof, insert: "and,"; line 8, strike "co-partnership" and in lieu thereof, insert: "partnership,"; line 10, strike: "co-", and insert a comma after the word "and" and before "if". Insert a comma in line 1 after "person" and line 4 after "detail".

24. In the bill, Section 15, page 7, line 3, strike: "Real Estate Commission or before", and in lieu thereof, insert: "commission or"; line 6, strike: "The applicant for a license" and in lieu thereof, insert: "Such applicant"; line 8, strike the comma after the word "leases".

25. In the bill, Section 16, pages 7 and 8, line 1, insert the word "the" before the word "maintenance"; line 2, strike: "Real Estate Commission," and in lieu thereof insert "commission"; line 3, strike: "the commission shall" and in lieu thereof, insert: "it shall"; line 6, strike the comma after the word "license"; line 12, insert the word "but" before the word "otherwise"; line 13, insert the word "the" after the word "from" and before the word "date".

26. In the bill, Section 17, page 8, line 1, after the word "The" and before "Real Estate", insert the word "State", and insert the word

"the" at the end of the line, after "prescribe"; line 2, strike: "and each", and in lieu thereof, insert: ". Each"; line 3, strike the word "a" at the beginning of the line, and in lieu thereof, insert the word "the"; line 7, strike the word "conspicuously" at the end of the line; line 8, after the word "license" insert the word "conspicuously"; lines 9 and 10, strike: ", which card shall certify", and in lieu thereof, insert the word "certifying"; line 13, strike: ", and each", and in lieu thereof, insert: "and including, on"; line 14, strike: "card will contain also", and in lieu thereof, insert: "cards only,"; line 15, strike the word "him" and in lieu thereof, insert: "such real estate salesman"; insert a comma in line 5, after "broker" and also after "employed", line 10 after "person", line 11 after "thereon"; strike the comma in line 9 after "annually" and line 11, after "broker".

27. In the bill, Section 18, page 8, line 1, strike: "Real Estate Commission shall have" and in lieu thereof, insert: "commission shall have the"; strike the word "power" at the end of line 2.

28. In the bill, Section 19, pages 8 and 9, line 10, strike the word "the" after the word "upon"; lines 10 and 11, strike: "Chairman of Real Estate Commission" and in lieu thereof, insert: "chairman of the commission"; line 13, insert a comma after the word "Treasurer", and in said line, strike: "; but" and in lieu thereof, insert: ". The"; line 16, strike: ", and such office and expense thereof", and in lieu thereof, insert: "and such office, and the expense thereof,".

29. In the bill, Section 20, pages 9 and 10, line 1, strike: "Real Estate Commission" and in lieu thereof, insert the word "commission"; line 2, after the word "upon" insert the word "the"; line 4, strike the comma after "salesman", and after the word "have" insert the word "the"; line 5, insert a comma after "license"; line 6, strike: "at any time where", and in lieu thereof, insert: ", whenever"; line 8, strike: "publishing, advertising-" and in lieu thereof, insert: "advertising,"; line 9, strike: ", radio, display or of any" and in lieu thereof, insert: "or by radio, display or"; strike "-," at the end of line 10; line 15, strike: "or rebate," and in lieu thereof insert the word "rebate"; line 22, strike the word "without" and in lieu thereof insert: ", without the"; line 23, strike the word "for" after the word "or" and before the word "lease"; line 25, strike the comma after "agent"; insert a comma at the end of line 28, after "substituting" and in line 29, after "thereof"; line 32, strike the semicolon after the word "value"; line 37, strike: "granting exclusive agency" and in lieu thereof, insert a comma; line 38, strike the word "with" after the word "property", and in lieu thereof, insert: ", granting an exclusive agency to; insert a comma in line 43 after "broker" and line 44, before "without"; line 45, strike the comma after the word "commission", and in line 47, after the word "broker"; line 48, strike: ". Or because the" and in lieu thereof, insert: "; (14) The";

lines 51 and 52, strike: "or because the" and in lieu thereof, insert: "(15) The".

30. In the bill, Section 21, pages 10 and 11, line 1, strike: "But before" and in lieu thereof insert the word "Before"; insert a comma in line 5, after "shall" and in line 6, after "hearing"; lines 6 and 7, strike: ", which writing", and in lieu thereof, insert: ". Such notice"; lines 8 and 9, strike: ", and the" and in lieu thereof, insert: ". The"; line 12, strike: "; and such written" and in lieu thereof, insert: ". Such"; lines 12 and 13, strike the word "delivery" and in lieu thereof, insert: "delivering it"; strike the comma at the end of line 13; line 14, strike: "mailing notice" and in lieu thereof, insert: "sending it"; lines 15 and 16, strike: "and if" and in lieu thereof, insert: ". If"; line 16, strike: "be a salesman" and in lieu thereof, insert: "is a salesman,"; line 18, insert the word "a" at the end of the line, after the word "such".

31. In the bill, Section 22, page 11, at the end of line 2, after the word "issue" insert the words "and sign"; line 3, strike the word "testimonies" and in lieu thereof, insert the word "testimony"; strike all of line 5 and in lieu thereof, insert: ". He may administer"; line 6, strike the word "and" after "oaths" and in lieu thereof insert a comma; lines 7 and 8, strike: ", and any" and in lieu thereof, insert: ". Any"; line 9, insert the word "is" after the word "as" and before the word "prescribed", and in said line, strike the word "laws" and in lieu thereof, insert the word "law"; line 13, strike: "; and the party" and in lieu thereof, insert: ". The party,"; insert a comma in line 14 after the word "filed"; lines 16 and 17, strike: ", and depositions may be taken," and in lieu thereof, insert: ". Depositions may also be taken and used".

32. In the bill, Section 23, pages 11 and 12, line 2, insert the word "the" after the word "all" and before the word "members"; line 4, strike: ", and if" and in lieu thereof, insert: ". If"; insert a comma in line 8, after "act", line 11, after "shall", line 12, after "days", line 14, after "and"; line 16, strike the word "and" after the word "salesman".

33. In the bill, Section 24, page 12, strike the comma after the word "commission" in line 3; line 9, insert a comma at the end of the line, after the word "notified".

34. In the bill, Section 25, pages 12 and 13, line 2, strike the word "and" before the word "who"; line 3, strike the comma after the word "state"; line 5, strike: ", may" and in lieu thereof, insert: "may,"; line 7, insert the word "a" after the word "of" and before "real estate"; line 8, after the word "authorized" insert: "or certified"; line 12, strike: ", provided" and in lieu thereof, insert: "; Provided,"; line 18, after the word "county" insert the word "or"; insert a comma in line 1 after

"state", line 8, after "commission", line 16, after "state", and line 22 after "commission"; strike the words "non resident" in lines 1, 9, 13, 15 and 19, 22 and 23, 24 and 25, and in lieu thereof, insert the word "nonresident".

35. In the bill, Section 26, page 13, line 1, strike the word "copartner" and in lieu thereof, insert the word "partnership"; insert a comma in line 2 after "association", line 4 after "license" and also after "shall", line 5 after "thereof", and in line 5, after the word "by" and before the word "fine" insert the word "a".

36. In the bill, Section 27, page 13, strike the comma in line 2, after the word "act" and at the end of line 6, after the word "herein".

37. In the bill, title, page 1, strike all of the title after the word "creating" in the 3rd line, and all amendments thereto, and in lieu thereof, insert: "the State Real Estate Commission, providing for the appointment, terms and qualifications of the members thereof; providing its organization, procedure, powers, duties, seal, employees and office; providing the powers, duties and salaries of certain officers and employees; requiring real estate brokers and salesmen to secure a license from the commission; providing the method and procedure for the obtaining of such licenses and the display and custody thereof; providing for the issuance of certain pocket cards by the commission to such brokers and salesmen and the use thereof; regulating the conduct of business by such real estate brokers and salesmen; prohibiting certain acts as unfair trade practices and providing for complaints in regard thereto; providing for the revocation and suspension of such licenses and the method, notice, hearing and procedure therefor; providing for appeals from certain orders of the commission; requiring the payment of certain fees for such licenses, the renewal thereof and from nonresident brokers and the use thereof; providing certain procedure and conditions whereby certain nonresident real estate brokers, licensed in another state, may be entitled to conduct such business in this state; excluding certain persons and certain court officers or appointees from the requirements of this act under the circumstances stated herein; establishing the state real estate commission's fund and the transfer of certain money to it from or owing to the state real estate commissioner's fund; limiting the expenditures of the commission; defining certain terms and words as used in this act; prescribing certain penalties; and to repeal all of Article 9, Chapter 76, C. S. Supp., 1941."

(Signed) James H. Anderson, Chairman

LEGISLATIVE ADMINISTRATION

Monthly Report Legislative Expenditures

Officers' and Employees' Salaries For the Month of March, 1943

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Roy J. Becker	Asst. Clerk	27 da	8.00	216.00	8.20	207.80
J. W. Lundy	Sgt. at Arms	29 da	5.00	145.00	4.65	140.35
Clarence Linch	Asst. Sgt. at Arms	23 da	4.50	103.50	2.57	100.93
Martin L. Pedersen	Postmaster	25 da	4.50	112.50	3.02	109.48
Rev. L. L. Chambers	Chaplain	27 da	4.50	121.50	3.47	118.03
Mildred Faulkner	Secy to Lt. Gov.	25 da	5.00	125.00	3.65	121.35
Lyda Hafer	Journal Clerk	27 da	6.00	162.00	5.50	156.50
Barbara Payne	Asst. Jrnl. Clk	27 da	5.00	135.00	4.15	130.85
Hollis Thurber	(Docket Clerk and Bookkeeper	26 da	5.50	143.00	4.55	138.45
Clara C. Turbyfill	Engrossing Clk.	24 da	6.00	144.00	4.60	139.40
Juanita DeArmond	Asst. Engross. Clk	24½ da	5.00	122.50	3.52	118.98
Jo Lacy Fisher	Comm. Clerk	26 da	5.00	130.00	3.90	126.10
Isabella M. Moore	Comm. Clerk	23 da	5.00	115.00	3.15	111.85
Patricia Anstine	Comm. Clerk	23 da	5.00	115.00	3.15	111.85
Marcella Allen	Comm. Clerk	23 da	5.00	115.00	3.15	111.85
Lorraine Schwenk	Comm. Clerk	23 da	5.00	115.00	3.15	111.85
Katherine Cannell	Comm. Clerk	21 da	5.00	105.00	2.65	102.35
Nellie Von Dorn	Comm. Clerk	30 da	5.00	150.00	4.90	145.10
Virginia Connelly	Comm. Clerk	22½ da	5.00	112.50	3.02	109.48
Ruth Case Bordsen	Stenographer	23 da	5.00	115.00	3.15	111.85

	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Julia J. Bristow	Stenographer	23 da	5.00	115.00	3.15	111.85
Irma Campbell	Stenographer	23 da	5.00	115.00	3.15	111.85
Bertha Ann Daggett	Stenographer	17 da	5.00	85.00	1.65	83.35
Eunice France	Stenographer	22 da	5.00	110.00	2.90	107.10
Mary Belle Heasley	Stenographer	22 da	5.00	110.00	2.90	107.10
Gwenda Lee Holmes	Stenographer	22½ da	5.00	112.50	3.02	109.48
Elaine Hopkins	Stenographer	21 da	5.00	105.00	2.65	102.35
Hazel McBride	Stenographer	23 da	5.00	115.00	3.15	111.85
Mary Morrison	Stenographer	23 da	5.00	115.00	3.15	111.85
Phyllis Smyth	Stenographer	23 da	5.00	115.00	3.15	111.85
Willalee Spelts	Stenographer	22 da	5.00	110.00	2.90	107.10
Rita Thornton	Stenographer	23 da	5.00	115.00	3.15	111.85
Delia Rankin	Office Asst.	23 da	5.00	115.00	3.15	111.85
Dorothy Scott-Glenn	Mimeo-Stencils	23½ da	5.00	117.50	3.27	114.23
Evelyn Jonas	Chf Page & messgr	(8 da	4.00			
		(13 da	4.25	87.25	1.76	85.49
Majorie Turner	Page and Messenger	22 da	4.00	88.00	1.80	86.20
Ruth Lindburg	Page and Messenger	12 da	4.00	48.00	1.10	46.90
Lillie Wittstruck	Page and Messenger	12 da	4.00	48.00	1.10	46.90
Paula Storch	Page and Messenger	8 da	4.00	32.00	.30	31.70
G. F. Martin	Chief Bill Clerk	23 da	5.00	115.00	3.15	111.85
Ally E. Druesedow	Asst. Bill Clerk	24 da	4.50	108.00	2.80	105.20
F. L. Gallagher	Asst. Bill Clerk	23 da	4.50	103.50	2.57	100.93
Gus E. Neumann	Asst. Bill Clerk	24 da	4.50	108.00	2.80	105.20
David D. Haney	Asst. Bill Clerk	24 da	4.50	108.00	2.80	105.20
L. G. Viox	Asst. Bill Clerk	24 da	4.50	108.00	2.80	105.20
G. H. Quackenbush	Asst. Bill Clerk	24 da	4.50	108.00	2.80	105.20

Edwin H. Franklin	Asst. Bill Clerk	6 da	4.50	27.00	.05	26.95
E. J. Keogh	Asst. Custodian	27 da	4.00	108.00	2.80	105.20
Dudley Wright	Asst. Custodian	24 da	4.00	96.00	2.20	93.80
O. J. Burckhardt	Asst. Custodian	24 da	4.00	96.00	2.20	93.80
Ernest Fouts	Asst. Custodian	24 da	4.00	96.00	2.20	93.80
Alice Skiff	Clerk	1 da	4.00	4.00	0.00	4.00
Elizabeth Sheehan	Telephone Operator	23 da	4.00	92.00	2.00	90.00
Grace Leavitt	Proof Reader	174 hr	.60	104.40	2.62	101.78
Orma Hull Kline	Proof Reader	174 hr	.60	104.40	2.62	101.78
Marguerite Price	Comm. Clerk	1 mo	150.00	150.00	4.90	145.10
Michael Gergen	Chief Custodian	1 mo	125.00	125.00	3.65	121.35
C. M. McGrath	Cloak Room Attdt.	1 mo	100.00	100.00	2.40	97.60
Clarence Davis	Atty E & R	1 mo	375.00	375.00	16.15	358.85
Total				$6697.05	$189.01	$6508.04

(Signed) Klaver, Chairman

Mr. Klaver moved that the report be printed in the Journal and that the Clerk dispense with reading the same.

The motion prevailed.

RESOLUTIONS

LEGISLATIVE RESOLUTION 20. Permit to Kill Pheasants.

Mr. Osborne moved that the resolution be adopted.

Mr. Carmody moved that it be sent to the proper standing committee.

The motion prevailed.

Referred to Committee on Agriculture.

LEGISLATIVE RESOLUTION 14. Dissolution of Pershing Memorial Commission.

Mr. Garber asked that unanimous consent be granted to consider the resolution at once.

No objection was offered. So ordered.

Upon request of Mr. Garber, unanimous consent was granted to print in the Journal the following

STATEMENT—Committee on Appropriations

Public hearing on Legislative Resolution No. 14 was held before the Committee on Appropriations on April 5, 1943, at 2 o'clock p. m. in the Governor's Hearing Room of the State Capitol. The original Resolution provided as follows:

> "Therefore Be It Resolved: That this Legislature honor this distinguished citizen, John J. Pershing, while living, by authorizing the erection of a suitable memorial in Lincoln, Nebraska.
>
> "Be It Further Resolved: That no appropriation is asked or sought from this Legislature. The Spirit of this Statue is to live in the hearts of our million and a half citizens of Nebraska, and particularly our 500,000 school children. Their voluntary contributions shall become the nucleus of the funds to finance this project and every one should be given the opportunity to contribute . . ."

The Committee feels that the intent and purpose of this original Resolution was the erection of a statue memorializing John J. Pershing, the greatest General of his age, from contributions to be secured by school children. The thought and intent of the original Resolution was laudable and commendable.

The evidence adduced at the hearing disclosed that the Commission intended and created by the Resolution took no action or steps for the erection of a memorial, or the soliciting of funds to erect the same, as apparent from the intent and purpose of the original Resolution. Instead, the evidence disclosed that Harry R. Follmer, Secretary, solicited considerable funds from the people of Lincoln and throughout the State of Nebraska, using these funds for the publication and distribution of books of various sizes and descriptions.

It further appeared from the evidence, that Mr. Follmer intended to continue the publication of these books, and to use same for the soliciting of funds securing therefrom a small amount, as the value of the book would warrant, to contributions of five hundred to one thousand dollars.

In addition to the selling and publication of the books, certain other circulars were printed and it appeared that these were printed without the consent and authorization of the Commission.

It appears further, that no part of the activities of Harry R. Follmer, or the Commission if his action was authorized by the Commission, were within the intent and purpose of the original Resolution. From the evidence produced at the hearing, the entire activities of the Commission were by the Secretary, Harry R. Follmer, and it does not appear that the Commission has functioned as intended by the original Resolution.

Based upon these facts, the Committee on Appropriations recommends the adoption of Resolution No. 14 by the Legislature.

(Signed) Greenamyre, Chairman

Mr. Garber moved that the resolution be adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

MOTION—Lobbyists on Floor of Legislature

Mr. President: I move that the Sergeant-at-arms be instructed to keep all lobbyists out of the seats and off of the floor of the legislative chamber while the Legislature is in session.

(Signed) Craven

Record vote was requested.

Voting in the affirmative, 30:

Anderson, D. S.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Jeffords
Klaver
Mekota
Mischke
Neubauer
Norman
Ogden
Osborne
Rakow
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 13:

Anderson, James H.
Brodahl
Gantz
Heiliger
Hubka
Jeppesen
Lee
Matzke
Mueller
Peterson
Raecke
Reavis
Sorrell

The motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 425.

A bill for an act relating to revenue and taxation; to provide that any money, raised by the levy provided for by Legislative Bill 147, fifty-sixth session of the Nebraska Legislature, not needed to reimburse in full the permanent school fund, as provided in the above mentioned act, shall be used for the construction and equipment of an historical building for the Nebraska State Historical Society, when a specific appropriation is made therefor by the Legislature.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 2:

Asimus
Doyle

Not voting, 8:

Burnham
Hubka
Norman
Osborne
Raecke
Rakow
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 152.

A bill for an act to amend section 17-433, Compiled Statutes of Nebraska, 1929, relating to powers of cities of the second class and villages; providing that cities of the second class and villages may construct or repair sidewalks and assess the expense thereof on the property in front of which such construction and repairs are made; providing for a notice thereof to be given by publication and also to be served or posted, as prescribed; providing that not more than one hundred and fifty feet of sidewalk shall be so constructed in any one year; providing that the method of constructing sidewalks under this section shall be cumulative; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Ogden
Osborne
Peterson
Rakow
Thompson
Tvrdik
Weborg

Voting in the negative, 3:

Carmody
Reavis
Thomas

Not voting, 7:

Burnham
Conklin
Craven
Neubauer
Norman
Raecke
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Speaker Crosby Presiding

LEGISLATIVE BILL 102.

A bill for an act to create a board of civil service commissioners in every city, town and municipality in the State of Nebraska, having a full paid fire department or a fire department having paid members, except in certain cities expressly excepted from the provisions of this act; to provide a civil service system, based upon examination and investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in said fire departments in the respective cities covered by this act; to regulate the transfer, reinstatement, suspension and discharge of said officers and firemen; to define certain terms; to prescribe the powers, duties, eligibility, procedure and organization of such commissions and of certain officers and employees of such cities, towns and municipalities; to provide a penalty; to state a validity clause; and to repeal inconsistent acts and parts of acts.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Matzke
Mischke
Norman
Ogden
Peterson
Thomas
Tvrdik

Voting in the negative, 3:

Asimus
Garber
Mueller

Not voting, 14:

Gantz
Hubka
Jeffords
Klaver
Lee
Mekota
Neubauer
Osborne
Raecke
Rakow
Reavis
Sorrell
Thompson
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 140.

A bill for an act relating to bonds, undertakings and contracts of suretyship; to provide for agreements for joint control of funds and assets deposited with depositories; and to state the effect thereof.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Thompson
Tvrdik

Crosby
Crossland
Hanna
Neubauer
Weborg

Voting in the negative, 0.

Not voting, 6:

Craven
Heiliger
Klaver
Raecke
Sorrell
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 305.

A bill for an act to repeal Article 12, Chapter 74, Compiled Statutes of Nebraska, 1929, relating to interurban railroads.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Anderson, James H.
Klaver
Raecke
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 307.

A bill for an act to repeal Article 21, Chapter 77, Compiled Statutes of Nebraska, 1929, and all amendments thereof, relating to scavenger tax sale proceedings.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Klaver
Raecke
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 308.

A bill for an act to repeal Article 5, Chapter 26, Compiled Statutes of Nebraska, 1929, relating to county foundations and community trusts.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Klaver
Raecke
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MESSAGE FROM THE GOVERNOR

1943 Statute Commission

April 7, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

As Chairman of the 1943 Statute Commission, I have been directed by the commission to file its report with the Clerk of the Legislature and to submit the same for your consideration and approval. Your Judiciary Committee, I am informed, has already made a careful study and check of the report, and is prepared to introduce a bill to approve the report and to authorize the publication of the matter therein contained, together with the general laws enacted at the present session of the Legislature, as the Revised Statutes of 1943. I request the introduction of this bill and its passage in order to carry out and complete the task assigned to the 1943 Statute Commission.

In the entire history of Nebraska, there have been only two previous true revisions of the statutes. The first revision occurred in 1866 when the Territorial laws were revised and published as the Revised

Statutes of 1866. The second revision was had in 1913, thirty years ago. When such a length of time elapses between revisions, there is bound to be a great need for the correction of the many errors, inconsistencies and duplications that arise through the exercise of the legislative process. To anyone familiar in the slightest degree with the Nebraska statutes, the need for revision was clearly apparent when the 1941 Legislature recognized the existing condition and took appropriate action.

The 1943 Statute Commission was created by Chapter 97, Session Laws of Nebraska, 1941, which was passed with an emergency clause and was approved on April 30, 1941. Two main duties were imposed upon the commission: First, to edit, arrange, annotate, compile and index the present statutes; and, second, to report to the 1943 session of the Legislature "suggested changes and revisions in laws then in force for the purpose of correcting errors and inconsistencies, eliminating duplications, eliminating laws apparently in force but repealed by implication, eliminating obsolete laws, correcting defective titles of legislative acts and defective section structure and arrangement of subject of existing statutes, clarifying existing laws, and such other similar matters as the commission may deem proper." In the report, the commission was directed to designate each and every enactment, or part thereof, which in their judgment should be changed or modified, stating every change recommended with their reasons therefor.

The commission, being composed of state officers having other duties to perform, manifestly could not undertake personally the task imposed by this act, and had to delegate to someone the responsibility for carrying forward the work. On May 16, 1941, the commission selected Walter D. James of McCook and Charles F. Bongardt of Omaha as Director and Assistant Director respectively of the 1943 Statute Commission, and entrusted to them the performance of the work under broad policies established and adopted by the commission.

In order to formulate plans for carrying out the task assigned to them, the Director and Assistant Director were assigned the duty of making a study and investigation of the plans followed and methods used in statute revision in other states. This assignment was carried out and a complete report was made to the commission on June 16, 1941. The basic policies which were to guide the work of the commission were adopted at this meeting.

It was decided, first of all, that the work should be done through local employees rather than farming the work out to some publishing house. Revision, as distinguished from compilation, requires legal knowledge of and experience with the statutes and decisions of the state whose laws are to be revised, and can best be done by lawyers familiar with those laws. It was further decided that a general rewriting of the laws for the purpose of clarification should not be attempted, but that the revision should be confined to correcting errors and inconsistencies, eliminating duplications and obsolete laws. It was further decided that each and every chapter in the Compiled Statutes of 1929 and the Cumulative Supplement thereto should receive attention. In order to comply with the legislative mandate of stating each and every change made, and the reason therefor, the device of setting out a reviser's note to each and every section of the statutes was adopted.

The 1941 Legislature left certain matters for the commission to determine as to the form and arrangement that the statutes, when published, should take. The commission decided that the statutes should be published in 3 volumes, the maximum number permitted by the 1941 Legislature. The amount of material contained in the 1929 Compiled Statutes and the 1941 Cumulative Supplement requires that three volumes, rather than a smaller number, be used. It was further decided to follow the chapter and article arrangement of the 1929 Compiled Statutes and the numbering system therein contained, so far as possible, with one major exception. This exception groups in one volume all of the chapters in the statutes dealing with courts and procedure. The index to the 1913 Revised Statutes was selected for use as the basis for index work. Pocket parts will appear in the statutes, not for the purpose of inserting additional legislation as this would in a short time make the volumes too bulky, but for the purpose of carrying forward cumulative supplemental annotations.

The revision report has been prepared at considerable expense to the state, and after twenty-one months of intensive work by the lawyers selected by the commission. I feel sure you will find that the revisory work directed by the 1941 Legislature has been carried out as directed and it should receive your approval.

Respectfully submitted,
(Signed) Dwight Griswold
Governor.

Approved by the Governor

April 7, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 211	L. B. 171

Respectfully submitted
(Signed) Robert M. Armstrong
Secretary to the Governor.

STATEMENT—Judiciary Committee

Mr. President: Pursuant to the request of Governor Griswold the Judiciary Committee hereby introduces L. B. 433 covering Revision of Nebraska Statutes.

(Signed) Gantz, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 433. By Judiciary Committee Harry E. Gantz of Box Butte, Chairman

A bill for an act to approve and adopt the report of the 1943 Statute Commission; to provide for the editing, annotating, indexing, preparing of the manuscript and publication of the general laws of the state as the Revised Statutes of Nebraska, 1943; to provide for the authentication, sale and distribution thereof; to repeal Article 11, Chapter 49, C. S. Supp., 1941; to provide an appropriation; and to declare an emergency.

MOTION—To Suspend Rules and Place on General File

Mr. President: I move that the rules be suspended and that L. B. 433 be placed on General File.

(Signed) Gantz

The motion prevailed with 33 ayes, no nays, 10 not voting.

STATEMENT—Committee on Banking, Commerce and Insurance

Mr. President: At a meeting of the Committee on Banking, Commerce and Insurance, held on April 6, 1943, a motion was adopted by more than a majority of the members of the committee to introduce the attached bill.

The purpose of the bill is to make it possible for more than fifty state banks, now unqualified, to qualify as depositories of federal funds in a War Loan Account. The passage of the bill, in the opinion of the committee, will aid the war effort.

(Signed) Peterson, Chairman

BILLS ON FIRST READING (Continued)

The following bill was read the first time by title:

LEGISLATIVE BILL 434. Committee on Banking, Commerce and Insurance By C. Petrus Peterson of Lancaster, Chairman

A bill for an act to amend section 8-134, Compiled Statutes of Nebraska, 1929, sections 8-122 and 77-2601, C. S. Supp., 1941, and section 8-142, C. S. Supp., 1941, as amended by Legislative Bill 33, Fifty-Sixth Session, Nebraska Legislature, relating to banks and deposits therein; to define the term "War Loan Deposit Account"; to provide that War Loan Deposit Accounts shall not be taken into consideration in determining the available cash reserve required to be carried by a bank; to provide that War Loan Deposit Accounts shall not be included in making computation of the average daily deposits of a bank to determine amount of capital stock required and to determine the amount that shall be required to be carried to surplus before declaration of dividend; to remove the restriction that depositories of the public moneys of the United States may be allowed to secure moneys or funds by a pledge of the assets in lieu of a bond only if its depositors are protected by the insurance afforded to banks through the Federal Deposit Insurance Corporation; to repeal the original sections; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 204. Unanimous consent was granted to Mr. Peterson to correct his amendment last offered, found in the Legislative Journal for the Sixty-third Day, as follows:

Amend the Cullingham amendment by striking the following: "or any but not less than the controlling capital stock of such utility".

The amendment, as corrected, was adopted.

MESSAGE FROM THE GOVERNOR

Veto on L. B. 130

April 7, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I am returning without my approval Legislative Bill No. 130.

In my judgment this bill is unconstitutional. Upon final passage it received but twenty-six votes while Section 27 of Article 4 of the State Constitution provides that "No executive state office * * * shall be created except by a two-thirds majority of all members elected". This means that any bill creating a new executive state office requires twenty-nine votes upon final passage and is intended to guard against the creation of new and unnecessary departments. The members of the board provided in L. B. 130 must be executive state officers as they certainly are neither legislative nor judicial, and they do have the responsibility of appointing a secretary, spending money and carrying on other executive functions.

It is my belief that L. B. 130 is unconstitutional for another reason in that in Section 1 it attempts to provide that the "State Engineer and the Director of Conservation and Survey Division, University of Nebraska, shall be ex officio members of the board". Section 1 of Article 4 of the State Constitution provides that "The heads of all executive departments established by law other than those to be elected as provided herein shall be appointed by the Governor with the consent of a majority of all the members elected to the Legislature, but officers so appointed may be removed by the Governor." This clause provides for a complete separation of the legislative and executive departments of the state government. The Legislature can create new executive state offices, but they can be filled in one manner only, and that is by appointment by the Governor. In Section 1 of L. B. 130 the Legislature has attempted to name three members of this proposed board as ex officio members and in my judgment this provision does not meet with the requirements of the constitution.

I do not, however, propose to rest my veto of Legislative Bill No.

130 upon technical grounds of unconstitutionality. In my judgment it is very poor legislation as it provides for a complete duplication of work already being done by the Department of Roads and Irrigation. The people of Nebraska have a right to be proud of their state government, and this condition has generally been true for many, many years. We have avoided the creation of duplicating and overlapping departments, and I cannot place my approval upon this bill which is a violation of the fine precedent which has been established. Legislative Bill No. 130 is not entirely fair as it is written, as it provides for no appropriation, but directs the Legislature in Section 9 to appropriate such money as is necessary to carry out its provisions. We would thus be spending a considerable sum of money to set up a new office with a new secretary and a separate office force, all to do work which is now being done by the Department of Roads and Irrigation.

In Section 4, this bill provides that "The State Engineer shall * * * perform such duties * * * as may be required by the board". This provision could easily cause terrible confusion as it really places this board in charge of the entire Department of Roads and Irrigation.

In Section 5 it is provided that "the powers and duties of the board shall be to receive, investigate, consider and recommend * * * projects, plans and proposals for orderly and planned development, improvement and extension of such public and private works as are related to soil and water resources". This is really the heart of the bill and inasmuch as the Department of Roads and Irrigation is now doing exactly this same work, I cannot understand its necessity.

At my suggestion, the Legislature two years ago made available some additional funds for the development of the Bureau of Irrigation. Some of these funds were used to employ an additional irrigation engineer who was brought here from the state of Colorado to add strength to this bureau.

Mr. Scott, the State Engineer, has also given a great deal of his time to irrigation activities. He was the Nebraska representative on the Republican River Compact Commission and has attended eight meetings of that group, several of these lasting three or four days. Aside from the parts of days given to the administrative details connected with irrigation, the State Engineer has spent a total of sixty-nine full working days on matters pertaining solely to the Bureau of Irrigation. Part of this time was spent in attending the meetings of the Compact Commission while a great many days have been spent with U. S. Army Engineers and the Bureau of Reclamation in working out plans for further irrigation and flood control development in Nebraska.

I am glad to report that a great deal of good has been accomplished and as a result of conferences held with the U. S. Army Engineer's office in Kansas City, Omaha and Washington, their former recommendations with reference to flood control in the Republican River basin were revised and the Army Engineers have announced a policy at this time to provide for complete flood protection in the entire Republican River basin rather than to limit their work to the lower regions of the Republican River as originally contemplated. I might add that as Governor, I have also conferred with the Chief of Engineers at Washington and with the Division Chief at Omaha in regard to these same matters.

As evidence of the further activity of the State Engineer in connection with irrigation matters, I desire to report that he is now serving as a member of a special committee of five from the National Reclamation Association interested in the preservation of states' rights and working for the fullest utilization of the natural resources of the states. At a recent meeting of the Association of Western State Engineers held in Denver in conjunction with the National Reclamation Association, Mr. Wardner Scott, Nebraska's present State Engineer, was chosen as President of that association for the coming year. This organization is composed of the engineers in each of the seventeen western states dealing with the water problems of those states.

I have gone into considerable detail to tell of the work that has been done and is now being done by the Department of Roads and Irrigation and by the State Engineer personally in connection with irrigation matters. I do this because under previous administrations there was a tendency to regard the Bureau of Irrigation as unimportant compared to the larger bureau of highways, both of them being in the one department. Mr. Scott, the present State Engineer, and I both feel that irrigation is tremendously important to Nebraska and the department has been operated on that basis. We have not felt, however, that the state should pay the expense of someone to represent us constantly in Washington to promote irrigation activities. Our Senators and Congressmen are elected by the people to carry that responsibility and personally I feel it would be a waste of public money to attempt to duplicate their efforts. Nebraska is prepared to furnish the necessary information, and I am glad to quote from a recent publication (No. 504) of the United States Department of Agriculture which refers on Page 29 to "the large fund of information on water resources assembled by the State of Nebraska".

I believe it is realized by all that we are now in a planning period and that no construction will be started until manpower and critical materials are available.

In view of my belief that the State of Nebraska through the Department of Roads and Irrigation and through the University of Nebraska is now doing a splendid work in studying and promoting Nebraska's water resources, and in view of the further feeling that to create a new agency would only create jealousies and add confusion and unnecessary expense, I am returning Legislative Bill 130 without my approval.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

Recess

At 11:58 a.m. Mr. Mekota moved to recess until 3:00 p.m.

The motion prevailed with 33 ayes, no nays, 10 not voting.

After Recess

The Legislature reconvened at 3:10 p.m. President Johnson presiding.

The roll was called and all members were present except Mr. Raecke and Mr. Sorrell, who were excused.

STANDING COMMITTEE REPORT

Judiciary

Mr. Gantz reported that mimeographed copies of the Report of the 1943 Statute Commission were available for the members of the Legislature.

REPORT—Trip to Air Base

Mr. Foster reported that plans had been completed for the trip to the Lincoln Air Base and that cars would leave from the West side of the Capitol at 4:00 p.m. on Thursday, April 8, 1943.

MOTION—Trip to Air Base

Mr. Mueller moved that the employees of the Legislature be permitted to accompany the Legislature on the trip to the Air Base on Thursday afternoon.

The motion prevailed.

MESSAGE FROM THE GOVERNOR

Wall at State Penitentiary

April 7, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I am transmitting herewith a letter just received from the Board of Control telling of conditions at the State Penitentiary in reference to the need of a new wall.

I feel that this should be called to your immediate attention as plans must be developed at once to remedy the existing condition. During the past few days I have contacted certain federal officials relative to the possibility of getting the needed critical material, and I am confident that this can be arranged.

Respectfully submitted
(Signed) Dwight Griswold
Governor

MOTION—To Refer to Committee

Mr. Conklin moved that the letter from the Board of Control be referred to the Committee on Appropriations for study and report to the Legislature.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 204. Mr. Peterson offered the following amendments, which were adopted:

Amend the Cullingham amendment by striking the words "Metropolitan Area" wherever that phrase appears and inserting in lieu thereof the words "Metropolitan City" and by striking the word and figures "ten (10)" and inserting in lieu thereof the following "five (5)".

The Cullingham amendment, as amended, was adopted.

Mr. Crosby offered the following amendments, which were adopted:

Strike all of words after the semicolon in the last sentence of the first paragraph of the Cullingham amendment, adopted April 6, 1943, and strike the semicolon as well.

Amend Sec. 6 by inserting the following words and punctuation after the word "oath" in line 3: "to support the constitution of the United States and the constitution of the State of Nebraska and".

Mr. Craven offered the following amendment:

Amend Section 7, p. 6, line 9 of the printed bill by striking the period after the word "each" and inserting a semicolon in lieu thereof and adding the following words and punctuation: "provided, that no general manager, counsel, secretary, treasurer or other employee or officer shall be paid, either directly or indirectly, or other compensation as a salary or otherwise, in excess of $15,000.00 per year."

Record vote was requested.

Mr. Tvrdik moved a call of the House.

A call of the House was ordered.

Mr. Tvrdik moved to raise the call.

Adjournment

At 5:06 p.m. on motion by Mr. Tvrdik the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 8, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sorrell, who was excused.

The Journal for the Sixty-fourth Day was approved as corrected.

Communications

A letter was read from Congressman Karl Stefan regarding Legislative Resolution 11.

PETITIONS AND MEMORIALS

A petition was introduced, addressed to all members, favoring Legislative Bill 263.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 224. Correctly engrossed.

(Signed) James H. Anderson, Chairman.

Labor and Public Welfare

LEGISLATIVE BILL 349. Indefinitely postponed.

LEGISLATIVE BILL 161. Indefinitely postponed.

(Signed) Craven, Chairman.

Government

LEGISLATIVE BILL 431. Placed on General File.

LEGISLATIVE BILL 430. Placed on General File.

(Signed) Doyle, Chairman.

STATEMENT—Committee on Education

The two bills herewith transmitted for introduction by the Committee on Education are introduced by said committee by a majority vote of the members of said committee.

(Signed) Matzke, Chairman.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 435. By Committee on Education, Stanley A. Matzke of Seward, Chairman.

A bill for an act to amend sections 79-212 and 79-2523, C. S. Supp., 1941, relating to schools; to increase during the fiscal years ending June 30, 1944 and June 30, 1945, to twenty-two mills the aggregate school tax that may be levied by school districts of the classes therein set out; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 436. By Committee on Education, Stanley A. Matzke of Seward, Chairman.

A bill for an act to amend section 79-1003, C. S. Supp., 1941, relating to schools; to increase until the end of the fiscal school year closing June 30, 1945, by one additional mill, the aggregate school tax that may be levied by a county high school district; to repeal the original section; and to declare an emergency.

Mr. Matzke moved that the rules be suspended and that L. B. 435 and L. B. 436 be referred at once.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Referred to Standing Committees

L. B.	Introducer	Committee Reference
434	Committee on Banking, Commerce and Insurance, C. Petrus Peterson of Lancaster, Chairman	Banking, Commerce and Insurance
435	Committee on Education, Stanley A. Matzke of Seward, Chairman	Education
436	Committee on Education, Stanley A. Matzke of Seward, Chairman	Education

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 187. Passed over.

LEGISLATIVE BILL 106.

A bill for an act to amend section 81-103, C. S. Supp., 1941, relating to the salaries of the heads of executive departments; to increase the maximum annual salaries of the Director of Agriculture and Inspection and the Director of Health to four thousand dollars each; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 10:

Asimus
Burnham
Carmody
Craven
Garber
Jeffords
Neubauer
Osborne
Thomas
Weborg

Not voting, 6:

Heiliger
Hubka
Jeppesen
Mekota
Mueller
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 204. Mr. Craven moved a call of the House.

The motion was lost with 19 ayes, 20 nays, 4 not voting.

Mr. Craven's amendment, found in the Legislative Journal for the Sixty-fourth Day, was read.

The amendment was lost with 20 ayes, 20 nays, 3 not voting.

Mr. Crosby offered the following amendment:

Amend Sec. 7, page 6, line 9 by inserting after the word "each" the following words and punctuation: "; provided, however, that in no event shall compensation as a salary or otherwise of any general manager, counsel, secretary, treasurer or other employee or officer exceed $10,000.00, except by the vote of approval of seven or more members of the Board of Directors, and the record of such vote of approval, together with the names of the seven or more directors so voting, shall be made a part of the permanent records of the Board".

Mr. Craven offered the following amendment to the Crosby amendment:

Amend the Crosby amendment by striking the period after the last word and inserting a comma in lieu thereof and adding the following words: "and that in no event shall the salary of any officer or employee exceed the sum of $17,500.00."

Record vote was requested.

Voting in the affirmative, 19:

Asimus
Burnham
Carmody
Craven
Doyle
Gantz
Garber
Heiliger
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Osborne
Raecke
Rakow
Thomas
Thompson
Weborg

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Cullingham
Dooley
Foster
Greenamyre
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Tvrdik

Not voting, 4:

Crossland
Hubka
Reavis
Sorrell

The Craven amendment was not adopted.

Mr. Crosby offered the following amendment, which was adopted:

Amend the Crosby amendment by adding the following words and punctuation: ", and all salaries in excess of $10,000.00 shall be published once each year in a legal newspaper of general circulation in the Metropolitan Area".

Mr. Craven offered the following amendment to the second Crosby amendment (directly above):

Amend the Crosby amendment, as amended, by striking the period after the last word in said amendment and inserting a semicolon in lieu thereof and adding the following words: "provided, that no general manager, counsel, secretary, treasurer or other employee or officer shall be paid, either directly or indirectly, or other compensation as a salary or otherwise in excess of $20,000.00."

Record vote was requested.

Voting in the affirmative, 16:

Asimus
Burnham
Carmody
Craven
Doyle
Gantz
Garber
Heiliger
Jeffords
Jeppesen
Mueller
Neubauer
Osborne
Raecke
Thomas
Weborg

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Cullingham
Dooley
Foster
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Reavis
Tvrdik

Not voting, 7:

Crossland
Greenamyre
Hubka
Mekota
Rakow
Sorrell
Thompson

The Craven amendment was lost.

Mr. Mekota was excused.

Mr. Mischke moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 28 ayes, 1 nay, 14 not voting.

Mr. Crosby's amendment (first above set out) was read.

Vote was taken and the amendment, as amended, was adopted with 28 ayes, 1 nay, 14 not voting.

Mr. Peterson offered the following amendment:

Amend L. B. 204 by striking therefrom Sections 8 to 55 both inclusive and by inserting in lieu thereof the following: "Except as by this act otherwise specifically provided or limited a power commission organized under this act shall have all the powers of a public power district organized under Senate File 310, Laws of Nebraska, 1933, as amended, now Article 7, Chapter 70, C. S. Supp., 1941, and shall be subject to the laws of the state governing public power districts except as by this act otherwise specifically provided.

Mr. Cullingham moved that the bill be laid over and made a special order of business for Monday, April 12, 1943, at 12:59 p.m.

The motion prevailed.

MOTION—To Rearrange General File

Mr. President: I move that the committee on "order and arrangement" submit two groups of bills known as non-controversial and controversial, that those bills designated as controversial be considered only in the afternoon sessions, such procedure to start immediately following the consideration of appropriation bills and all bills dealing with appropriations or which will affect the form of appropriation bills.

(Signed) Mischke

The motion prevailed.

Statement for Journal

Mr. President: Had I been present, I would have voted in the affirmative on the appointment of the following persons:

Mr. Donald D. Mapes	Aeronautics Commission
Mr. Roscoe Hewitt	Racing Commission
Mr. Grove Porter	Racing Commission
Mr. Robert M. Armstrong	Tax Commissioner

(Signed) Raecke, Gutoski, Doyle

SELECT FILE

LEGISLATIVE BILL 403. Referred to E and R for engrossment.

LEGISLATIVE BILL 19. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 172. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 265. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 266. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 267. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 316. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 368. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 412. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Mr. Greenamyre moved to refer to E and R for engrossment.

Mr. Greenamyre moved a call of the House.

A call of the House was ordered.

Mr. Greenamyre moved to raise the call.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Greenamyre moved to lay the bill over until afternoon.

The motion prevailed.

LEGISLATIVE BILL 100. E and R amendments, found in the Legislative Journal for the Sixty-fourth Day, were adopted.

Mr. Conklin moved to refer the bill to E and R for engrossment.

Mr. Mischke moved to postpone the bill indefinitely.

The motion was lost with 3 ayes, 23 nays, 17 not voting.

Mr. Conklin's motion prevailed.

Recess

At 12:12 p. m. Mr. Gantz moved to suspend the rules and adjourn until 2:00 p. m.

The motion prevailed with 32 ayes, no nays, 11 not voting.

After Recess

The Legislature reconvened at 2:00 p. m. Speaker Crosby presiding.

The roll was called and all members were present except Mr. Sorrell, who was excused.

NOTICE OF COMMITTEE HEARINGS

Education

L. B. 435,	Wednesday, April 14, 1943, 1:30 p.m.
L. B. 436,	Wednesday, April 14, 1943, 1:30 p.m.

SELECT FILE

LEGISLATIVE BILL 412. Mr. Greenamyre renewed his motion to refer to E and R for engrossment.

Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion was lost with 5 ayes, 29 nays, 9 not voting.

After further consideration Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 27 ayes, no nays, 16 not voting.

Mr. Greenamyre's motion prevailed with 29 ayes, 1 nay, 13 not voting.

Statement for Journal

Mr. President: Had I been present I would have voted "aye" on the following bills: L. B. 102, L. B. 140, L. B. 305, L. B. 307, L. B. 308.

(Signed) Walter R. Raecke.

Adjournment

At 3:12 p. m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska.
Friday, April 9, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carmody, Hubka, Sorrell and Weborg, who were excused.

The Journal for the Sixty-fifth Day was approved as corrected.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 434, Thursday, April 15, 1943, 1:30 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 308
L. B. 307

L. B. 305
L. B. 152
L. B. 140

L. B. 102
L. B. 106

LEGISLATIVE BILL 221. Correctly engrossed.

LEGISLATIVE BILL 263. Placed on Select File with amendments.

E and R amendments to L. B. 263:

1. In the bill, Section 1, page 2, line 2, insert a comma after the word "corporation"; line 5, strike the comma after the word "Nebraska" and in said line strike the word "for" after the word "or" and before the word "the"; line 7, strike "who is a citizen", and in said line, strike the word "where" before the word "said" and in lieu thereof insert the word "if"; line 8, after the word "is" and before the word "qualified", insert: "a citizen and is".

2. In the bill, Section 2, page 2, line 1, insert a comma after the word "corporation" and in line 2 after the word "act"; line 5, strike the comma after the word "dollars".

3. In the bill, title, page 1, 4th line, insert a comma after the word "person"; 5th line, after the word "production" insert: ", manufacture or distribution"; 6th line, after the word "supplies" insert: "for the State of Nebraska or the government of the United States,".

LEGISLATIVE BILL 132. Placed on Select File with amendments.

E and R amendments to L. B. 132:

1. In Standing Committee amendment No. 1, strike the comma in the 10th line of the inserted matter, after the word "writing".

2. In Standing Committee amendment No. 2, 2nd line, before "and insert" insert the following: " and all of the 3rd, 4th, 5th and 6th lines thereof"; in the 4th line of said amendment, at the beginning of the inserted matter, insert a semicolon.

LEGISLATIVE BILL 56. Placed on Select File with amendments.

E and R amendments to L. B. 56:

1. In Standing Committee amendment No. 1, 6th line, after "instruction;" and before "providing", insert the following: "permitting such guard to accept gifts, donations, gratuities or anything of value only upon the approval and procedure herein provided;" ; strike the word "that" in the 7th line, after the word "material" and before the word "may", and in lieu thereof, insert: ", which"; 8th line, insert a comma after "War" and before "may" and at the end of said line, strike the comma after "clothing".

2. In Standing Committee amendment No. 2, at the end of line 7 of the inserted matter, insert the word **"the"**; line 11 of the inserted matter, after the word "officers" insert ",".

3. In Standing Committee amendment No. 3, in the inserted matter, strike the colon at the end of line 6 and in lieu thereof, insert: "- ;" ; line 10, after "thereunder", strike "." and in lieu thereof insert "," ; insert the punctuation "," in line 4 after "regulations", line 5 after "act", line 8 after "law".

4. In Standing Committee amendment No. 3, in the inserted matter, line 8, strike the word "services" and in lieu thereof insert "service".

5. In Standing Committee amendment No. 5, in the inserted matter, line 7, after **"War"** and before **"in"**, insert ",".

6. In Standing Committee amendment No. 6, in the inserted matter, insert the punctuation "," at the end of line 4, after "oath" and in line 5 after "forces".

7. In legislature amendment No. 1, by Mr. Raecke, 1st line, after "10," insert: "on page 1, and lines".

8. In legislature amendment No. 3, by Mr. Raecke, 2nd line, strike "the word membership" and in lieu thereof, insert: "membership."

(Signed) James H. Anderson, Chairman.

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 424. Placed on General File with amendments.

Standing Committee amendments to L. B. 424:

1. Amend page 2 of the bill, section 1, line 2, by inserting after the punctuation following the word "firm" the following: "agency,".

2. Amend page 2 of the bill, section 1, line 9, by striking the word "department" following the word "term" and inserting in lieu thereof the following: "board,".

3. Amend page 2 of the bill, Section 1, lines 9 and 10, by striking the words "Department of Health" and substituting in lieu thereof the words "Board of Control".

4. Amend page 2 of the bill, section 2, line 4, by striking the word "department" and inserting in lieu thereof the word "board".

5. Amend page 2 of the bill, section 2, line 6, by striking the word "department" and inserting in lieu thereof the word "board".

6. Amend page 2 of the bill, section 2, line 10, by striking the word "department" and inserting in lieu thereof the word "board".

7. Amend page 2 of the bill, section 2, line 11, by striking the word "five" and inserting in lieu thereof the word "one".

8. Amend page 2 of the bill, section 2, line 13, by striking the word "department" and inserting in lieu thereof the word "board".

9. Amend page 2 of the bill, section 3, line 1, by striking the word "department" and inserting in lieu thereof the word "board".

10. Amend page 2 of the bill, section 3, line 6, by striking the word "department" and inserting in lieu thereof the word "board".

11. Amend page 2 of the bill, section 4, line 1, by striking the word "department" and inserting in lieu thereof the word "board".

12. Amend the title, line 7, by striking the words "Department of Public Health" and substituting in lieu thereof the words "Board of Control".

13. Amend the title, line 8, by striking the words "Department of Public Health" and substituting in lieu thereof the words "Board of Control".

14. Amend the bill, section 1, line 4, by inserting after the word "mean" the words "engaged in the business of".

15. Amend the bill, section 1, lines 4 and 5 by striking the words "the exercise of" and inserting in lieu thereof the words "of exercising".

LEGISLATIVE BILL 181. Indefinitely postponed.

LEGISLATIVE BILL 245. Indefinitely postponed.

LEGISLATIVE BILL 279. Indefinitely postponed.

(Signed) Foster, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 308	L. B. 305	L. B. 102
L. B. 307	L. B. 152	L. B. 106
Legislative Resolution 14		L. B. 140

RESOLUTIONS

LEGISLATIVE RESOLUTION 21. Appreciation, Trip to Air Base.

Introduced by Harry A. Foster, Fred A. Mueller and Robert B. Crosby.

WHEREAS, the members of the Legislature, and its employees, were entertained in a splendid manner by General Early E. W. Duncan and his staff, at the inspection trip made of the Lincoln Air Base on April 8, 1943;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature hereby extends to General Early E. W. Duncan and his staff its appreciation for the courtesy extended on the inspection trip of the Lincoln Air Base made by the Legislature and its employees on April 8, 1943.

2. That a copy of this resolution, suitably engrossed, be forwarded to General Duncan.

Mr. Mueller moved to suspend the rules and adopt Legislative Resolution 21.

The motion prevailed with 32 ayes, no nays, 11 not voting.

BILLS ON THIRD READING

LEGISLATIVE BILL 187. Passed over.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 150.

A bill for an act to prohibit the sale of fireworks at retail outside of the corporate limits of any city or village; to provide a penalty.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 23:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crossland
Cullingham
Doyle
Foster
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Matzke
Mischke
Ogden
Osborne
Raecke
Thomas
Tvrdik

Voting in the negative, 2:

Dooley
Neubauer

Not voting, 18:

Asimus
Burnham
Carmody
Craven
Crosby
Gantz
Hubka
Klaver
Lee
Mekota
Mueller
Norman
Peterson
Rakow
Reavis
Sorrell
Thompson
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 317. Passed over. Retains place on File.

LEGISLATIVE BILL 166. Read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 8 by striking from lines 30 and 31 the words "by legitimate education and advertising mediums directed to" and changing "point" to "pointing" in line 31.

Mr. Peterson moved that the Legislature do not concur in the Standing Committee Report, found in the Legislative Journal for the Thirty-eighth Day.

After discussion Mr. Mischke moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 25 ayes, no nays, 18 not voting.

Mr. Peterson's motion prevailed with 27 ayes, 6 nays, 10 not voting.

Mr. Hanna moved that the bill be postponed indefinitely.

The motion was lost with 5 ayes, 26 nays, 12 not voting.

Mr. Craven offered the following amendments, which were adopted:

Amend Sec. 8, subsection (2), page 3 of the printed bill, by striking the comma after the word "locations" in line 17 and further striking all of the words after the comma to and including the word "necessary" in line 19.

Amend Sec. 8, subsection (5), page 4 of the printed bill by striking all of subsection (5).

Amend Sec. 9, page 4, line 3 of the printed bill by striking the following words: "in its judgment".

Mr. Peterson moved to refer to E and R for review.

Record vote was requested.

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Conklin
Craven
Crosby
Cullingham
Dooley
Gantz
Greenamyre
Gutoski
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Peterson
Reavis
Thomas
Thompson
Tvrdik

Voting in the negative, 5:

Doyle
Garber
Hanna
Mekota
Osborne

Not voting, 10:

Burnham
Carmody
Crossland
Foster
Hubka
Neubauer
Raecke
Rakow
Sorrell
Weborg

The motion prevailed.

SELECT FILE

Mr. Klaver requested unanimous consent to revert to Select File.

No objection was offered. So ordered.

LEGISLATIVE BILL 60. Mr. Raecke requested unanimous consent to incorporate the following in Mr. Osborne's amendment, found in the Legislative Journal for the Sixtieth Day:

Amend the Osborne amendment by inserting after the word "necessary", the punctuation and words ", in addition to such other funds as may be available for such purpose,".

Strike the word "eight" before the word "tenths" and insert in lieu thereof the word "five".

No objection was offered. So ordered.

The Osborne amendment, as amended, was adopted.

Mr. Lee asked for unanimous consent to amend the bill.

Objection was raised by Mr. Asimus.

Mr. Lee moved to refer the bill to General File for the following Specific Amendment:

1. Amend page 3 of the bill, section 1, line 40, by striking the word "Twenty" and inserting in lieu thereof the word "Forty".

2. Amend page 3 of the bill, section 1, line 46, by striking the word "seventy" and inserting in lieu thereof the word "fifty".

3. Amend page 3 of the bill, lines 51 and 52, by striking the word "thirty-five" and inserting in lieu thereof the word "twenty-five".

The motion prevailed with 22 ayes, 3 nays, 18 not voting.

GENERAL FILE

Mr. Lee moved that L. B. 60 be considered at once on General File.

The motion prevailed.

LEGISLATIVE BILL 60. Mr. Lee moved that his Specific Amendment, above set out, be adopted.

Laid over. Retains place on file.

REQUEST—To Place on Select File

Mr. Peterson asked that unanimous consent be granted to place L. B. 368 on Select File for the following Specific Amendment:

1. Amend page 2 of the bill, section 1, line 5, by striking the word "**personal**".

2. Amend page 2 of the bill, section 1, lines 5 to 9, by striking the words "**and upon all real**" in line 5 and all of lines 6, 7, 8, and 9.

3. Amend page 2 of the bill, section 1, line 13, by striking the period, inserting a semicolon in lieu thereof, and then adding:

"Provided, however, that such lien shall not be valid as against any mortgagee, pledgee, purchaser, or judgment creditor until notice thereof has been filed by the Secretary of State in the office of the county clerk of the county wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein the real estate sought to be charged with such lien is situated."

4. Amend page 3 of the bill, section 2, lines 43 and 44, by striking the words "**be forever barred upon real estate of the corporation**" and substituting in lieu thereof the following:

"cease to be a lien as against any mortgagee, pledgee, purchaser or judgment creditor".

5. Amend page 3 of the bill, section 2, line 47, by inserting after the word "**wherein**" the following:

"the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein".

6. Amend the title to the bill, lines 4 to 7, by striking the word "occupation" in line 4, and all of lines 5, 6, and 7, and substituting the following in lieu thereof:

"the lien of such occupation taxes shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor until notice thereof has been filed by the Secretary of State with the county clerk of the county wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein the real estate sought".

7. Amend the title to the bill, line 12, by inserting after the word "liens" the following:

"as against any mortgagee, pledgee, purchaser or judgment creditor".

8. Amend the title to the bill, line 16, by inserting after the word "county" the following:

"wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county".

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 368. Mr. Peterson's Unanimous Consent amendment, above set out, was adopted.

Referred to E and R for engrossment.

Members Excused

Mr. Garber and Mr. Rakow were excused until Tuesday morning.

Messrs. Conklin, Doyle, Mischke, Norman, Reavis and Thomas were excused until Monday.

Recess

At 12:06 p.m. Mr. Mueller moved that the rules be suspended and that the Legislature recess until 2:00 p.m.

The motion prevailed with 28 ayes, no nays, 15 not voting.

After Recess

The Legislature reconvened at 2:00 p.m. Speaker Crosby presiding.

The roll was called and all members were present except Messrs. Conklin, Garber, Hubka, Mischke, Norman, Reavis, Sorrell and Thomas, who were excused.

Poll for Saturday Session

Mr. Mueller asked that a poll be taken regarding a session on Saturday.

The roll call thereon showed 12 ayes, no nays, 32 not voting.

GENERAL FILE

LEGISLATIVE BILL 60. Mr. Lee asked unanimous consent to withdraw his amendments offered in the morning session.

No objection was offered. So ordered.

Mr. Lee offered the following amendments and moved their adoption:

1. Amend page 3 of the bill, section 1, line 45, by striking the words and punctuation "and (c) The" and inserting in lieu thereof: "(c) Twenty per cent shall be credited to either the county road fund or the county bridge fund, as the county board by resolution entered on its records may direct, with the privilege on the part of the county board at any time during the calendar year in which such money is received to transfer all or any part thereof from one fund to the other as need may arise; and (d) The".

2. Amend page 3 of the bill, section 1, line 46, by striking the word "seventy" and inserting in lieu thereof the word "fifty".

Mr. Matzke offered an amendment to Mr. Lee's amendment.

The motion was lost.

Record vote on the Lee amendment was requested.

Voting in the affirmative, 17:

Anderson, James H.
Burnham
Crossland
Cullingham
Dooley
Gutoski
Hanna
Jeppesen
Lee
Mekota
Mueller
Ogden
Peterson
Raecke
Rakow
Thompson
Tvrdik

Voting in the negative, 5:

Asimus
Brodahl
Greenamyre
Matzke
Osborne

Not voting, 21:

Anderson, D. S.
Bowman
Carmody
Conklin
Craven
Crosby
Doyle
Foster
Gantz
Garber
Heiliger
Hubka
Jeffords
Klaver
Mischke
Neubauer
Norman
Reavis
Sorrell
Thomas
Weborg

The amendment was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 188. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 256. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-seventh Day, were adopted.

Referred to E and R for review.

Mr. Thompson presiding

LEGISLATIVE BILL 185. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 410. Passed over. Retains place on File.

LEGISLATIVE BILL 203. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Mr. Jeffords moved to postpone indefinitely.

The motion prevailed with 17 ayes, 7 nays, 19 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 274. Placed on Select File with amendments.

E and R amendments to L. B. 274:

1. Strike the legislature amendment by Mr. Mueller adopted on April 2, 1943.

2. In the bill, Section 1, page 2, at the end of line 6, after the word "defined", insert: "**and have the requirements and standards**"; line 14, after the word "standing" and before the word "shall", insert: "**, hereinafter referred to as "it" or "its",** ; in lines 20, 23, 28 and 29, strike: "**such** medical college or school in good standing", and in lieu thereof, insert: "~~medical college or school in good standing~~ **it**"; line 24, strike the comma after "control" and also after "hospital", and in lieu thereof, in each place, insert ";" ; line 26, strike: "the students of said medical college or school", and in lieu thereof, insert: "~~the~~ **its** students ~~of said medical college or school~~"; line 33, strike: "such medical college or school", and in lieu thereof, insert: "~~such medical college or school~~ **it**"; line 34, after the word "require" insert "," and after the word "for" and before "granting" insert the word "**the**".

3. In the bill, Section 1, page 3, line 35, after the word "degree" insert ";" ; strike: ", no two of" at the end of line 36, all of line 37 and the word "having" at the beginning of line 38, and in lieu thereof, insert:

"; **Provided, that, on and before March 1, 1947,** no two of such courses are to be held ~~within one year~~ **concurrently and , after March 1, 1947, no two of such courses are to be held within one year. (8) That** ~~having~~ **it shall have**"; line 43, strike the comma after "gynecology" and in lieu thereof, insert: "**, and the**"; line 44, after the word "surgery" strike the comma and in lieu thereof insert ","; line 48, strike: "**(8) That such medical school or college**", and in lieu thereof, insert: "**(9) That it**" ; line 49, after the word "**standards**" and before the word "**prescribed**", insert: "**as shall be**" ; line 50, after the word "**Examiners**" and before the semicolon, insert: "**in Medicine and Surgery**" ; lines 52 and 53, strike: "**(9) That such medical college or school in good standing**" and in lieu thereof, insert: "**(10) That it**".

4. In the bill, title, page 1, strike all of said title after the word "standards" in the 4th line, and in lieu thereof, insert: "and requirements for an accredited medical school; to provide that one of the requirements of such a medical school shall be changed after March 1, 1947, as prescribed in this act; to repeal the original section; and to declare an emergency."

LEGISLATIVE BILL 38. Placed on Select File with amendments.

E and R amendments to L. B. 38:

1. In the bill, Section 1, page 2, line 4, strike the comma after the word "corporation"; line 12, after the figures "17" and before the word "of" insert: ", inclusive," ; line 10, strike: "is provided for" and in lieu thereof, insert "in".

2. In the bill, Section 2, page 2, line 9, strike the comma after the word "deed"; line 12, after the figures "17" and before the word "of" insert: ", inclusive," ; lines 9 and 10, strike: "is provided for" and in lieu thereof, insert "in"; line 10, insert "a" before "real estate".

3. In the bill, Section 3, pages 2 and 3, line 7, after the word "of" and before the word "sale" insert the word "the"; insert a comma in line 1 after "proceedings" and in line 9 after the word "deed", and line 5 after "lien".

4. In the bill, Section 4, page 3, line 3, strike: "he or it" and in lieu thereof, insert: "the plaintiff"; line 9, strike the word and punctuation "also"; insert a comma in line 7 after "sufficient", line 8 after "suit"; strike the comma in line 5 after "estate", line 9 after "section" in two places.

5. In the bill, Section 5, page 3, line 1, after the word "all" insert the word "the"; line 2, after the word "his" insert: ",her" and at the

end of said line strike the word "certificate" and in lieu thereof insert the word "certificates".

6. In the bill, Section 6, page 3, line 1, strike: "at his option," and in lieu thereof, insert: "if desired, include as or"; line 2, insert a comma after the word "land"; line 3, strike the word "as" after "petition" and in lieu thereof insert a comma, and in said line, after the word "defendant", strike the comma and in lieu thereof, insert: "or defendants".

7. In the bill, Section 7, page 3, strike the comma in line 4 after the word "defendants".

8. In the bill, Section 8, page 4, insert a comma at the end of line 1, after "deed" and in line 3 after "treasurer".

9. In the bill, Section 9, page 4, line 4, strike the word "and" before "state"; line 7, strike the word "shall" before "award"; insert a comma in line 3 after "costs", line 6 after "estate".

10. In the bill, Section 10, page 4, line 2, after the word "of" and before the word "sale" insert the word "the"; insert a comma in line 6 after "land", line 7 after "defendant".

11. In the bill, Section 13, page 5, insert the word "the" in line 8 after the word "of" and before "fore-", at the end of line 9 after "of", line 11 after the word "of" and before "sale"; strike the comma in line 3 after "proceedings", line 4 after "correct", line 7 after "corporation"; insert a comma in line 5 after "date"; line 10, strike the word "and" before the word "shall".

12. In the bill, Section 14, page 5, line 1, insert the word "the" after "of" and before "sale"; line 4, strike: ", and the" and in lieu thereof, insert: ". The"; lines 6 and 7, strike: "tract or lot of"; line 10, after the word "interest" insert: "or interests"; strike the comma in line 5 after "years", line 10 after "whatsoever"; insert a comma in line 9 after "purchaser".

13. In the bill, Section 15, page 6, line 1, insert the word "the" after "of" and before "sale"; line 4, insert the word "thereof" after "much" and before "as", also in line 8 after "much" and before "as"; strike the comma at the end of line 10, after "corporations", and in lieu thereof, insert the word "or".

14. In the bill, Section 16, page 6, line 6, after "and" and before "taxes" insert: "all the"; line 10, after "corporations" strike the comma

and in lieu thereof insert the word "and"; line 13, after "of" and before "sale" insert the word "the"; line 15, after "where" and before "directed" insert the word "so"; insert a comma in line 6 after "taxes"; strike the comma in line 8 after "corporation".

15. In the bill, Section 17, pages 6 and 7, insert the word "the" in line 2 after the word "after" and before "decree", in line 3 after the word "of" and before "sale" and in line 5 after the word "to" and before "date"; insert a comma in line 1 after "person", line 2 after "land", line 6 after "and", and at the end of line 7 after "plaintiff" ; strike the comma in line 6 after "redemption".

16. In the bill, Section 18, page 7, line 2, insert a comma after "Supp.", and also in the title, at the end of the 6th line.

17. In the bill, Section 3, page 2, line 4, insert "a" before "tax"; section 10, page 4, line 5, before the word "third" insert "a"; Section 12, page 4, line 2, before "sale" insert "a"; page 5, line 4, strike the comma after "corporation" and in lieu thereof, insert: "or a"; strike the word "moneys" at the beginning of line 12, and in lieu thereof, insert: "money"; line 13, after "provided" insert "for"; Section 13, page 5, line 2, strike: ", on" and in lieu thereof, insert: "and on the"; Section 15, page 6, line 7, strike the comma after "corporation" and in lieu thereof, insert: "or a".

LEGISLATIVE BILL 284. Placed on Select File with amendments.

E and R amendments to L. B. 284:

1. In Standing Committee amendment No. 1, 1st line, strike "11" and in lieu thereof insert "12"; in Standing Committee amendment No. 5, 1st line, strike the figure "3" after the word "lines" and in lieu thereof insert "4"; in Standing Committee amendment No. 11, page 2, 1st line, strike the comma at the beginning of the insertion and strike the word "shall".

2. In the bill, Section 2, page 2, line 3, strike: "to them" and at the end of said line, after the word "appear", insert: "to it to be"; line 4, strike the word "They" and in lieu thereof, insert: "The board"; line 5, strike the word "shall"; line 6, strike the word "they" and in lieu thereof, insert: "it", and in said line, insert a comma after the word "may", and also after "time" and before "deem".

3. In the bill, Section 3, page 2, line 2, after the word "study" insert: ", experiment"; line 4, strike the comma after the word "varieties".

4. In the bill, Section 5, page 2, lines 2 and 3, strike: "they are" and in lieu thereof, insert: "it is"; strike: "they deem" at the beginning of line 4, and in lieu thereof, insert: "it deems" ; line 5, strike "carrying" and insert "carry".

5. In the bill, Section 6, pages 2 and 3, line 1, insert a comma after "appropriated"; strike the words "the Regents" at the end of line 9, all of line 10, and "of land of" in line 11, and in lieu thereof, insert: "said board providing"; in line 11, after the word "acres" and before the insertion of Standing Committee amendment No. 8, insert: "of land"; line 13, after the word "or" and before the word "Board" insert the word "the"; line 14, strike the word "Regents" and in lieu thereof, insert the word "board"; strike all of line 16, after the word "by", all of line 17 and all of line 18 up to the word "shall" and in lieu thereof, insert: "said district at its expense. The said district"; line 19, strike the word "their" and in lieu thereof, insert the word "its"; insert a comma in line 20 after "agreement", line 22 after "Nebraska"; line 25, strike the word "will" and in lieu thereof insert the word "shall".

6. In the bill, Section 7, page 3, line 2, strike the word "his"; line 3, strike the word "him" and in lieu thereof, insert: "such officer,"; insert a comma in line 3 and also in line 4 after "Nebraska", line 5 after "vouchers"; line 6, strike the comma before the word "and".

7. In the bill, title, page 1, strike all of the 8th line, and in lieu thereof, insert: "various studies, experiments and demonstrations shall be conducted; to provide the nature of such studies, experiments and demonstrations; to" ; insert a comma in the 9th line after "dollars"; 11th line, after the semicolon and before the word "and", insert: "to provide the conditions under which this appropriation may be used;".

LEGISLATIVE BILL 303. Placed on Select File with amendments.

E and R amendments to L. B. 303:

1. In the bill, Section 1, page 2, line 3, strike: "(1)" and in lieu thereof, insert: "(1) ~~,~~" ; line 4, strike: "of his residence" and in lieu thereof, insert: "~~of his residence~~ ,where such voter resides," ; line 8, strike the word "his" and in lieu thereof, insert: "~~his~~ a"; line 11, strike the word "his" and in lieu thereof, insert: "~~his~~ such voter's"; line 12, strike: "the issuing" and in lieu thereof, insert: "~~the issuing~~ such"; strike: "to him by" at the end of line 12 and the word "mail" at the beginning of line 13, and in lieu thereof, insert: "~~to him by mail~~"; at the end of line 13, after the word "ballot" and before the period, insert: "to such voter by mail".

2. In the bill, Section 1, page 2, strike the word "a" at the end of line 14, and all of lines 15, 16 and 17, and in lieu thereof, insert: "~~a~~ printed ~~application~~, and, among other things, ~~shall~~ provide ample blank spaces ~~wherein~~ **for** the applicant for ballot ~~shall state~~: ~~(a) His~~ **to insert such person's (a)** name , (b) ~~His post office~~ **postoffice** address, , (c) ~~His~~ residence," in line 20, strike the word "naming" and in lieu thereof insert "~~naming~~".

3. In the bill, Section 1, page 2, strike: ". (d) That" at the end of line 21, and all of lines 22 to 27, inclusive, and in lieu thereof insert: ", **and** (d) ~~That he~~ **address, where ballot and supplies are to be sent to the voter by mail, and that such voter (a)** is a qualified voter of such precinct, ~~and that he~~ **(b)** is about to be absent from said county on the day of such election, naming the day **thereof** , **and (c)** ~~that he~~ desires to vote at such election; . ~~and if~~ **If** ~~it~~ **such election** be a primary election, the application must **also provide space for and the voter must state** the political party ~~that he~~ **with which such voter** affiliates ~~with~~ . ~~(e) The address of voter where ballot and supplies may be sent to him by mail~~,".

4. In the bill, Section 1, page 2, line 28, strike: "(2)" and in lieu thereof, insert: "(2) ," ; line 30, before the word "through" insert: "**shall,**"; strike the word "shall" at the beginning of line 31, and in lieu thereof, insert: ", ~~shall~~"; strike the word "his" at the beginning of line 32, and in lieu thereof, insert: "~~his~~ **such disabled voter's**"; strike the comma at the end of line 32 and all of lines 33 and 34, and in lieu thereof, insert: "**the disabled voter's** , ~~stating his~~ **(a)** name, **(b)** ~~post office~~ **postoffice** address, **and (c)** ~~his~~ residence, describing it by street number or similar description, if in a city or".

5. In the bill, Section 1, page 3, line 36, strike the word "naming" and in lieu thereof, insert: "~~naming~~"; line 37, strike: ", that he" and in lieu thereof, insert: ", **and that such voter (a)** ~~he~~" ; line 38, strike: "and that he or she" and in lieu thereof, insert: "~~and that he or she~~ **(b)**" ; line 41, strike: "that he" and in lieu thereof, insert: "~~that he~~ **(c)**" ; line 42, strike: "; and, if it" and in lieu thereof, insert: "; ~~and, if it~~ . **If such election**"; strike the word "he" at the end of line 43, and "affiliates. with," at the beginning of line 44, and in lieu thereof, insert: "~~he~~ **such disabled voter** affiliates ~~with~~ ." ; line 45, strike the word "by" and in lieu thereof, insert: "~~by~~ **with**" ; strike the word "is" at the end of line 47 and in lieu thereof, insert: ", ~~is~~ **(a)**"; line 48, strike the word "is" and in lieu thereof, insert: "~~is~~ **(b)**"; line 49, strike the word "is" and in lieu thereof, insert: "**(c)**" .

6. In the bill, Section 1, pages 2 and 3, insert the punctuation "," in the following places: Line 6 after "appear" and after "**election**"; line 18 after "description"; line 19 after "range"; line 28 after "voter"; line

31 after "writing"; line 35 after "range"; line 39 after "be"; line 45 after "certificate"; line 46 after "surgeon" .

7. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert ";" in the following places: at the end of line 7, after "person"; line 8 after "home".

8. In the bill, title, page 1, 8th line, before "and to repeal" insert: "providing the procedure for voting by absent voters and disabled voters;" .

(Signed) James H. Anderson, Chairman

Adjournment

At 4:43 p.m. on motion by Mr. Foster the Legislature adjourned until 10:00 a.m. Monday, April 12, 1943.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 12, 1943

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Garber and Rakow, who were excused.

The Journal for the Sixty-sixth Day was approved as corrected.

Communications

A letter was read from Frank Sorrell and family thanking the members of the Legislature for their expression of sympathy.

A letter was read from Orchard and Wilhelm Company regarding venetian blinds for the legislative chamber.

NOTICE OF COMMITTEE HEARINGS

Agriculture

Legislative Resolution 20, Tuesday, April 20, 1943, 1:30 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Monday, April 12, 1943 at 10:45 a.m.

L. B. 102
L. B. 106
L. B. 140
L. B. 152
L. B. 305
L. B. 307
L. B. 308

LEGISLATIVE BILL 150. Correctly enrolled.

Correctly engrossed

L. B. 412
L. B. 403
L. B. 316
L. B. 267
L. B. 266
L. B. 172
L. B. 19
L. B. 265

LEGISLATIVE BILL 256. Placed on Select File with amendments.

E and R amendments to L. B. 256:

1. In Standing Committee amendment, 2nd line, strike: "provided, nothing in this section" and in lieu thereof, insert: "to provide that the provisions hereof"; 3rd line, after the word "shall" insert the word "not".

2. In the bill, Section 1, page 2, lines 3 and 6, strike the word "moneys" and in lieu thereof, insert: "~~moneys~~ **money**"; line 4, strike "," after "divisions"; strike the word "said" at the end of line 8, and in lieu thereof, insert: "~~said~~"; line 9, after the word "cent" and before the word "to" insert: "**thereof**"; line 10, after "~~1~~" and before "~~of~~" insert: "~~(33-162)~~"; strike the comma and in lieu thereof insert "~~,~~;" at the end of line 7 after "commissions" and in line 10 after "state".

3. In the bill, Section 3, page 2, at the end of line 1, after "shall" insert: "be in full force and"; line 2, strike: "and be in full force".

4. In the bill, title, page 1, 3rd line, strike the word "moneys" and in lieu thereof insert "money"; strike the comma in the 5th line after "commissions"; 6th line, after "cent" and before "credited", insert: "thereof to be".

LEGISLATIVE BILL 188. Placed on Select File with amendments.

E and R amendments to L. B. 188:

1. In Standing Committee amendment, 1st line, strike: "line 3" and in lieu thereof insert: "4th line"; in the last line of said amendment, strike: "fifty", and in lieu thereof, insert: "~~twenty~~ **fifty**".

2. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert ";" in line 5 after "**1943**"; line 6 after "fund"; line 7 after "claims"; strike: ", for" at the end of line 7, and in lieu thereof, insert: "; for **the**".

3. In the bill, title, page 1, 4th line, before the word "ending" insert: "beginning July 1, 1943 and"; strike the comma in the 8th line after "corps".

LEGISLATIVE BILL 185. Placed on Select File with amendments.

E and R amendments to L. B. 185:

1. In the bill, Section 1, page 2, lines 6 and 7, strike: "; and no", and in lieu thereof, insert: "; and no . **No such**"; line 11, insert "," after "articles" and also after "institutions"; line 14, strike "it" and in lieu thereof, insert "it"; line 20, strike: "**or any other**" and in lieu thereof, insert: "**, any**", and in said line, strike: "**, or with**" and in lieu thereof, insert: "**or**"; line 21, insert "," after "**subcontractors**"; lines 22 and 23, strike: "**to any of the foregoing**"; line 25, strike "." after "**jurisdiction**" and in lieu thereof, insert: "**, to those listed hereinbefore in this subsection.**"; strike the "," in line 27 after "space", line 30 after "**materials**" and line 32 after "**contracts**".

2. In the bill, Section 1, page 3, line 36, strike the word "**moneys**" and in lieu thereof insert "**money**": line 43, after "**representatives**" insert: "**thereof**"; line 56, strike "," after "**collectively**"; line 57, strike: "**, and any**" and in lieu thereof, insert: "**. Any**".

3. In the bill, Section 2, page 3, line 1, strike the comma after the figure "4".

4. In the bill, title, page 1, 4th line, after "Control", insert: ", until March 1, 1945,"; 7th line, strike the semicolon before "to repeal" and in lieu thereof, insert: "under the prescribed conditions and regulations; to permit the Board of Control to make certain rules and regulations pertaining thereto; to define "war articles" as used in this act; to provide how the funds required therefor must be obtained and the funds received therefrom shall be used;".

LEGISLATIVE BILL 166. Placed on Select File with amendments.

E and R amendments to L. B. 166:

1. In the bill, Section 1, page 2, line 4, strike: "cross-section" and in lieu thereof, insert: "cross section".

2. In the bill, Section 2, page 2, line 11, strike: ", each", and in lieu thereof, insert: "by the Governor, with the advice and consent of the Legislature if it be in session,"; strike all of line 12 after the word "years" and "congressional district." in line 13, and in lieu thereof, insert: "; Provided, that each of such successors so appointed, except the successor to the member at large, shall be a resident of the same congressional district as the member such appointee is to succeed." ; strike the period at the end of line 16 and in lieu thereof, insert: "of such member." .

3. In the bill, Section 3, page 2, line 3, strike the word "They" and in lieu thereof, insert: "The members"; line 5, strike: "reimbursed for" and in lieu thereof, insert the word "paid" .

4. In the bill, Section 4, pages 2 and 3, line 1, insert a comma after "director"; line 2, after the word "and" and before the word "fix", strike the word "shall"; line 5, strike the word "shall", and in said line, after the word "as" and before "secretary" insert the word "its"; strike the words "and shall" at the beginning of line 6, and at the end of the line, after "council", insert: ", be"; line 7, strike: ". The director shall" and in lieu thereof, insert: "and" .

5. In the bill, Section 5, page 3, line 4, strike the word "to" and in lieu thereof, insert the word "for" .

6. In the bill, Section 6, page 3, line 2, strike the word "Building" .

7. In the bill, Section 7, page 3, line 2, strike the comma after the word "month" .

8. In the bill, Section 8, pages 3 and 4, line 3, insert a comma after "state", after the word "seeking" insert the word "the" and after the word "use" strike the word "for" and in lieu thereof insert the word "of"; line 4, insert a comma after "state"; line 7, strike the word "have" and in lieu thereof insert "be"; strike the word "the" in line 12, before "available", in line 13, before "marketing", and also at the end of said line, in line 14, before "banking", and in line 15, before "availability"; line 15, strike: ", the" at the end of said line, and in lieu thereof insert "and"; line 16, strike the word "the" before "particular"; line 19, strike: "; and such" and in lieu thereof insert: ". Such"; line 20, strike the word "both"; line 21, strike the word "and" and in lieu thereof insert a comma; line 22, strike: "within the state" and in lieu thereof, insert: "therein" .

9. In the bill, Section 8, page 4, line 25, strike the comma after "state"; line 26, strike: "in the state;" and in lieu thereof insert the

word "therein"; strike the word "themselves" at the beginning of line 28, and in said line, strike the word "with" and in lieu thereof, insert: "between said industries and"; strike all of line 33 and in lieu thereof, insert: "opportunity and soliciting industrial enterprises;".

10. In the bill, Section 9, page 4, line 1, after the word "In" strike the word "the" and after the word "performing" strike the word "of"; line 3, strike the word "to" before "generally"; line 9, strike: ", and shall" and in lieu thereof, insert "and" ; strike the comma at the end of line 2, after "contracts".

11. In the bill, Section 10, pages 4 and 5, strike the comma at the end of line 1, after "organize", and in line 2 after "organized".

12. In the bill, Section 11, page 5, strike the word "an" at the beginning of line 6, and in lieu thereof, insert "the"; insert a comma in line 3 after "dollars" and in line 6 after "dollars".

13. In the bill, Section 12, page 5, line 4, strike: "those other" and in lieu thereof, insert: "any other parts or"; lines 5 and 6, strike: ", but those other portions which are found to be constitutional" and in lieu thereof, insert: "and such other portions or parts".

14. In the bill, title, page 1, 4th line, before "appointment" insert: "qualification,"; strike all of the 8th line, and in lieu thereof, insert: "council; to provide for office space for the council in the State Capitol; to provide that the members thereof are to serve without compensation but are to be paid their necessary expenses in performing their duties; to provide an appropriation; to state a saving clause; and"

LEGISLATIVE BILL 60. Replaced on Select File with amendments.

E and R amendments to L. B. 60:

1. In the first legislature amendment by Mr. Lee, adopted April 9th, strike "(c)" at the beginning of the new subject matter inserted, and in lieu thereof, insert: "and (c) The"; underscore all of the balance of the subject matter in quotation marks.

2. In the second legislature amendment by Mr. Lee, adopted April 9th, strike the word "fifty" and in lieu thereof, insert "**fifty** seventy".

3. In the legislature amendment by Mr. Osborne, offered April 1st, insert "," at the beginning of the new subject matter inserted after

the quotation mark, and also after the word "**PROVIDED**" and after "**HOWEVER**" in the 6th line thereof; insert a hyphen between "**EIGHT**" and "**TENTHS**" in the 6th line; decapitalize all of the words in said amendment except the first letter of the words: "**DIVISION**", "**MOTOR**", "**FUELS**", "**DEPARTMENT**", "**AGRICULTURE**" in the 3rd line, "**INSPECTION**" in the 4th line and "**PROVIDED**" in the 6th line.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 150

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Dedication of State Capitol

Introduced by Carl P. Jeffords

WHEREAS, the cornerstone of the Nebraska Capitol was laid on November 11, 1922; and

WHEREAS, the Nebraska Capitol has become famous throughout the world for its beauty of design and style of architecture; and

WHEREAS, there has not as yet been a public dedication of this building, although it has been fully paid for and in use for many years; and

WHEREAS, on November 11, 1943 this building will have attained the age of twenty-one years, which corresponds to the time that men and women attain legal age in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Nebraska Capitol be publicly dedicated on November 11, 1943.

2. That a committee of five from this Legislature be appointed by the Speaker, to cooperate with the Governor of Nebraska, in arranging a suitable ceremony and program to carry out such dedication.

Mr. Jeffords moved that the resolution be referred to the proper standing committee.

The motion prevailed.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 21.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 187.

A bill for an act to amend section 19-801, Compiled Statutes of Nebraska, 1929, relating to aviation fields; to authorize any city of the metropolitan class, city of the first class or city of the second class to acquire by lease, for a term not to exceed twenty-five years, the necessary land within or without such city for the purpose of establishing an aviation field, without first submitting such proposition to the voters; to authorize cities of the first and second class to levy an annual tax, of not to exceed one mill on the dollar of the actual valuation of the taxable property within the corporate limits of any such city, without a vote of the legal electors, for the purpose of leasing, improving and maintaining such aviation field, where such acquisition is by lease; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Carmody	Dooley	Garber	Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 174. Mr. Osborne asked unanimous consent to amend the bill.

Objection was raised by Mr. Mischke.

Mr. Osborne moved to refer the bill to Select File for specific amendment.

The motion was lost with 7 ayes, 16 nays, 20 not voting.

Laid over.

LEGISLATIVE BILL 147. Passed over.

MESSAGE FROM THE GOVERNOR

President Johnson introduced Governor Dwight Griswold, who spoke briefly in behalf of the second war bond campaign, suggesting that the Legislature by resolution lend support to the drive being conducted.

SELECT FILE

LEGISLATIVE BILL 263. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 132. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 56. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 274. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Passed over.

LEGISLATIVE BILL 284. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

1. Amend page 2 of the bill, by striking all of section 1 and inserting the following in lieu thereof:

"Section 1. For the promotion and furtherance of the agricultural interests in the different areas of this state, experimental substations and testing centers may be established for the purpose of carrying out a crops and soil testing program. Such substations and testing centers shall be under the control and management of the Board of Regents of the University of Nebraska and shall be distributed throughout the state in order to determine the effect that variation in soils, rain fall, temperature, growing season, altitude and other factors have in the production of crops in all portions of the state."

2. Amend page 2 of the bill, by striking all of section 2 and inserting the following in lieu thereof:

"Sec. 2. The Board of Regents of the University of Nebraska, through the Director of the Agricultural Experimental Station, shall have control and supervision of such substations and shall appoint such employees and purchase such equipment as to them shall appear necessary to obtain the best results. They shall fix the salaries and compensation of employees, shall establish such rules and regulations as they may, from time to time, deem necessary."

3. Amend page 2 of the bill, by striking all of section 3 and inserting the following in lieu thereof:

"Sec. 3. The object of such experimental substations shall be to study and demonstrate, both without and under irrigation, cropping systems suitable to the area, fertilization practices, methods of water distribution, the production of new crops, crop variety tests and such other matters as may be deemed best to develop the agricultural interests of the state."

4. Amend page 2 of the bill, by striking all of section 4 and inserting the following in lieu thereof:

"Sec. 4. The Board of Regents of the University of Nebraska is authorized to enter into agreements with the owners of farms in this state for the leasing of testing centers, the total area of each such testing center not to exceed adequate acreage necessary, and to be located on farms typical of the area in which such testing center is selected. Upon such testing centers there shall be planted, cultivated and harvested, under the supervision and direction of the Department of Agronomy of the University of Nebraska, such crops as will, through experimentation, develop and demonstrate the best crops to be grown in such area and the best farm practices for use in connection therewith. Such agreements for lease of testing centers may provide for the performance of such work by the farm owner, in connection therewith, as may be deemed essential, and shall be entered into upon a year to year basis, with provision for renewal at the option of the Board of Regents."

5. Amend page 3 of the bill, section 6, line 3, by striking the word "twelve" and inserting in lieu thereof the words "twenty-five".

6. Amend page 3 of the bill, section 6, lines 6 to 26, by inserting a period in place of the semicolon after the word "act" in line 6 and by striking all of the rest of line 6, and by striking all of lines 7 to 26, inclusive.

7. Amend the title to the bill, by striking all of lines 4 to 15, inclusive, and substituting the following in lieu thereof: "to provide for the establishment of experimental substations and soil testing centers under the control and management of the Board of Regents of the University of Nebraska; to provide for the management and

operation of such substation and soil testing centers; and to provide an appropriation."

Mr. Mischke offered the following amendments, which were adopted by unanimous consent:

Sec. 1, line 3, strike the words "substations and"; line 5, strike "substations and".

Sec. 2, line 4, strike "substations" and insert in lieu the words, "testing centers".

Sec. 3, line 1, strike "substation" and insert in lieu thereof "testing stations".

No. 7, lines 4 and 5, strike "substations and soil"; line 7, strike the words "substation and soil".

Referred to E and R for review as amended.

LEGISLATIVE BILL 303. E and R amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Referred to E and R for engrossment.

Visitor

Mr. Thompson introduced R. C. Regan of Columbus, a former member, who addressed the Legislature briefly.

GENERAL FILE

LEGISLATIVE BILL 317. Passed over. Retains place on File.

LEGISLATIVE BILL 410. Read and considered.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend by striking the words "Clerk of the Legislature" in the title and in line 1, Section 1, line 1, Section 3, line 6, Sec. 4, line 9, Sec. 4, line 14, Sec. 4, line 17, Sec. 4, line 1, Sec. 5, line 1, Sec. 6, line 4, Sec. 8, and insert in lieu thereof "State Purchasing Agent under the direction of the Tax Commissioner".

Laid over. Retains place on File.

MOTION—Special Order

Mr. Greenamyre moved that Special Order of the day be taken up at 2:00 p.m.

The motion prevailed.

Recess

At 11:58 a.m. Mr. James H. Anderson moved that the Legislature recess until 2 p.m.

The motion prevailed with 31 ayes, no nays, 12 not voting.

After Recess

The Legislature reconvened at 2 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Rakow, who was excused.

RESOLUTIONS

LEGISLATIVE RESOLUTION 23. Second War Loan Campaign

Introduced by Robert B. Crosby

WHEREAS, the Governor of Nebraska has called the attention of the Legislature to the Second War Loan Campaign starting on this date, April 12, 1943; and

WHEREAS, it is of paramount importance that the forces of the United States on the battle front be supported by the people on the home front, and one of the effective ways of rendering such support is by making the Second War Loan Campaign a success;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That all of the citizens of Nebraska be urged to cooperate and participate in the Second War Loan Campaign, and to purchase United States bonds during such campaign.

2. That it is the intention of the members of this Legislature, individually, to set an example for all patriotic citizens of Nebraska,

by subscribing for and purchasing United States bonds during the Second War Loan Campaign to the limit of their respective individual abilities.

Upon request by Mr. Crosby, unanimous consent was granted to consider the resolution at once.

Mr. Crosby moved that Legislative Resolution 23 be adopted.

The motion prevailed with 41 ayes, no nays, 2 not voting.

Approved by the Governor

April 12, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 106
L. B. 305
L. B. 307
L. B. 308

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL 204. Mr. Peterson asked unanimous consent to amend his amendment, found in the Legislative Journal for the Sixty-fifth Day to read "Sections 8 to 42" instead of "8 to 55".

Objection was raised by Mr. Sorrell.

Mr. Sorrell moved to amend Mr. Peterson's amendment to read "Sections 1 to 55 both inclusive".

After discussion, Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 23 ayes, no nays, 20 not voting.

Mr. Sorrell withdrew his objection to the last Peterson amendment and, with the consent of his second, withdrew his amendment to the Peterson amendment.

Unanimous consent was granted to Mr. Peterson to amend his amendment of the Sixty-fifth day.

Mr. Peterson moved the adoption of his amendment of the sixty-fifth day as amended.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Mr. Cullingham moved to amend the bill by adding thereto the following sections, to be numbered 8 to 15, both inclusive, as follows:

Section 8. The Commission shall have all the usual powers of a corporation for public purposes, as well as a political subdivision, including in addition to those herein granted the following powers and be subject to the following limitations of those powers:

(a) The Commission shall have one or more offices for the conduct of its affairs, provided that the principal office, records, books and accounts of the Commission shall always be maintained in the City.

(b) The Commission shall have the power to pay out or expend money only on the approval of the Board of Directors and by checks, warrants or other instruments in writing, signed by not less than two of the members or officers of the Commission, including the Treasurer or Assistant Treasurer of the Commission, as designated by the Board of Directors.

(c) The Commission shall receive bids for all work of construction or repairs which it may desire to have done by contract, or for materials and supplies to be used in connection with such work, which said bids shall be received after reasonable advertisement therefor, and when opened shall be read in public session, and the Board of Directors may award contracts based upon said bids to the lowest and best bidders; provided, however, the Board of Directors may, for such reasons as appear to it good and substantial, reject all bids; and if all bids are rejected said Board of Directors shall have the power and authority to itself do all of said work or to directly purchase materials and supplies without re-advertising for bids, and without entering into a contract with any other person or companies in relation thereto.

(d) The Commission shall have the authority to make contracts of insurance with any insurance company or non-profit hospitalization corporation or association, or non-profit medical service, or other health, benefit or relief corporation or association authorized to transact business within the State, insuring its employees, or any class or classes thereof, under a policy or policies of group insurance covering life, health, hospitalization, medical service or accident insurance, and may contract with any such company granting annuities or pensions for the pensioning or retirement of its employees; and, for such purposes, may agree to pay part or all of the premiums or charges for carrying such contracts, and may charge as operating expenses any money necessary to pay any such premiums or charges or portions thereof. The Commission is hereby also authorized to deduct from the employee's pay, salary or compensation, such part of the premium as is payable by the employee, and as may be authorized by the employee, in writing. All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws of Nebraska concerning group insurance and group annuity contracts. In the exercise of this power, the Commission may assume or continue in force any contracts in force and entered into by its predecessor in ownership of such electric utility, or may enter into new or different contracts and take into consideration therein prior years of service of the employees with the predecessor or predecessors in ownership of such electric utility.

Section 9. The Commission shall keep an accurate record of all its acts, the minutes of meetings of its Board of Directors, the property owned or operated by it, the cost of the utility, and its revenues and expenses, which records shall be deemed public and subject to examination by the City. A semi-annual statement in detail of the affairs of the Commission, including an account of its assets and liabilities and its disbursements and receipts, signed by the Chairman or Vice Chairman and Treasurer or Assistant Treasurer, and approved by the majority of the Commission, shall be filed with the City Clerk, and a Summary thereof shall be published at such time in a newspaper of general circulation in the City, and, at least annually, an audit of the books and accounts of the Commission shall be conducted by an independent certified public accountant, and the report of such audit shall likewise be filed with the City Clerk of the City. On the adoption of a Resolution by the Governing Body of the City so directing, the City Comptroller, or other duly authorized representative of the City, shall have the right to investigate the books of the Commission at any time for the purpose of examining into the correctness of such statements or reports; and, by like resolution, the City

Engineer, or a duly authorized representative of the City Engineer, shall have the right at any time to make an examination of the Commission's Plant and property.

Section 10. The Commission shall annually pay to the State of Nebraska and to each governmental subdivision thereof in which the Commission owns property, a sum equal to the amount of taxes which would be levied on such property or the owner thereof, if such property were privately owned. The amount so to be paid shall be determined and arrived at by a value being placed on such property by the assessing authority, as if the property were privately owned, and such value multiplied by the then current tax levy, in all respects as the amount of tax thereon would be arrived at if the property were privately owned.

In case of unjust or excessive value being placed on such property by the assessing authority an appeal therefrom to the district court of the county in which the property lies may be taken by the Commission, and the procedure for such appeal shall be in all respects as in appeals from the county board of equalization.

The Commission shall also pay annually to the Metropolitan City a sum equal to three and one-half per cent of the gross revenue derived from the sale of electric current within the corporate limits of the city. The payments required by this section shall be payable out of net earnings, after the payment of operating expenses, interest on debt and amortization of maturing notes or bonds. Should the Commission, for want of funds, fail in any year to make such payments the obligation shall continue until paid.

The bonds of the Commission are declared to be issued for an essential public purpose and, together with interest thereon and income therefrom, shall be exempt from all taxes.

Section 11. In addition to other means of acquisition otherwise provided, the Commission is hereby authorized and empowered to acquire by purchase, bargain and sale, gift or otherwise, in the territory in the State of Nebraska defined as the metropolitan area, or in an adjoining state or in both the State of Nebraska and in an adjoining state, when the property therein is to be inter-connected with, or a part of, an electrical system within this state, or in both, or in an adjoining state when authorized by such state but only if such authority be necessary, solely from funds provided under the authority of this act, the electric utility or plant or part thereof serving the City and adjoining municipalities and rural areas intervening between them at the time of acquisition; and may acquire within the metropolitan area such lands, structures, rights of way, franchises, easements or other interests in land or electrical property of any character, from any person or public or private corporation, necessary or convenient for the acquisition, extension or enlargement within the metropolitan area of the electrical utility serving the city and the metropolitan area upon such terms, price or consideration, as may be considered by the Commission to be reasonable and can be agreed upon between it and the owner or owners, title thereto to be taken in the Commission, subject, however, to the referendum as provided in this act. Such purchase may be made subject to existing liens or incumbrances or subject to or upon the assumption of outstanding bonds or other indebtedness. The Commission may acquire such a utility by purchase of all of the capital stock not immediately subject to call and retirement, of a private utility corporation, organized under the laws of this or any other state, so serving the city and adjoining municipalities and intervening areas in lieu of the purchase of the property, but only as a means of acquiring the property of such utility; and the Commission shall in that event forthwith call and retire all outstanding callable stock of such corporation or cause the same to be done, transfer the property and assets of such corporation to the Commission and dissolve such corporation.

Section 12. Any incorporated rural electrification area or public power district in this state, except a public power district which operates or owns property in more than twenty counties, may acquire by purchase or condemnation the rural distribution lines and accessories of the Commission within the corporate limits of such electrification area, but may not take by condemnation any lines of the Commission which are used or necessary for the transmission of current to any city or village or rural district beyond the lines so taken and still being served by the Commission. And any city or village, except a metropolitan city, may acquire by purchase or condemnation the distribution lines and accessories of the Commission within the limits of such city or village. In event any rural electrification area, public power district, city or village elects to acquire distribution lines and accessories, as in this section authorized, by exercise of the power of eminent domain the procedure for determining the price and terms shall be the manner provided in Sections 19-708 to 19-714, both inclusive, Nebraska Compiled Statutes Supplement, 1941, and amendments thereto and the procedure shall in all respects be as therein provided for.

If such public power district, city or village, upon acquisition of the property of the Commission as above provided, shall desire to purchase at wholesale its supply of electric current from the Commission, the Commission shall furnish such current, but if such public power district, city or village and the Commission cannot agree upon the rate to be charged for such current, the matter shall be submitted to the Nebraska State Railway Commission which Commission, after proper notice and hearing, shall establish such rate and the rate so established shall be the rate to be paid and received for current so furnished. If such public power district, city or village shall acquire the property of the Commission under condemnation proceedings as provided above, the court of condemnation, at the time of such proceedings, shall establish severance damages if any, but any severance damages so established shall become due and payable only when and if such public power district, city or village ceases to purchase at wholesale from the Commission its entire supply of electric current for the properties so taken and in event of ceasing to so purchase then the severance damages as theretofore determined shall immediately be due and payable.

No public power district organized under the laws of this state shall acquire by purchase, condemnation or otherwise an electric light or power plant or electric utility within the corporate limits of a metropoltan city. No public power district owning property or operating in more than twenty counties in this state may extend or enlarge its electric utility service or holdings within the metropolitan area as herein defined; but such public power district may continue to own and operate such electric properties as they own within the metropolitan area at the time this act takes effect.

Section 13. In addition to the powers of the Commission to secure its notes or bonds by pledge of revenues, the Commission may also, at the option of the Board of Directors, secure such notes or bonds by mortgage or deed of trust upon the Commission's property, assets and franchises if such indebtedness or the proceeds of such notes or bonds in their entirety represent the purchase price of the property embraced within the mortgage or deed of trust or represents initial working capital of the Commission or both. Such mortgage or deed of trust may contain such provisions for protecting and enforcing the rights and remedies of the trustee or trustees or the holders of the bonds or notes as may be customary in trust agreements representing bonds of corporations. Such mortgage may vest in a trustee or trustees or in the holders of bonds or notes, the right in the event of default in the payment of principal or interest or any of the bonds after such principal or interest shall become due, to take possession and use, operate and manage the property of the Commission, and to collect the revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the Commission with said trustee or trustees; provided, the City shall, at all times, have the right to cure such default by payment of the arrearage or arrearages, and to take over such business subject to the indebtedness remaining after the meeting of such default. The Commission shall, however, never pledge the credit or taxing power of the city or of any other governmental subdivision of the state. The grant of power herein to the Commission to incur indebtedness or issue bonds, shall be free from any restrictions now imposed by the charter of the

City or other provisions of law respecting the issuance of bonds and incurring of indebtedness, and subject only to the provisions of the constitution of the state and such notes or bonds may be issued without submission of the proposition to the electorate of the City, and without reference to any other restrictions applicable to such City.

Section 14. No contract entered into by the Commission for the purchase of the property and franchise of the electric utility serving a metropolitan city, or of the capital stock of a private corporation owning such utility, which is not subject to call and retirement, except through the exercise of the power of eminent domain, shall be final or binding:

(a) Unless and until the price and other terms and conditions of the sale or disposal of such electric utility by the owner thereof to anyone whomsoever, or the purchase thereof by the Commission, shall have been published once each week for two consecutive weeks, in a legal newspaper of general circulation in the county in which such metropolitan city is located, and proof of such publication shall have been thereafter filed with the City Clerk of such metropolitan city; and

(b) Unless and until a regular or special election, as herein provided, has been held as a referendum by the electors thereon, and a majority of the qualified electors of the metropolitan city voting thereon shall vote in favor of such sale or disposal. The proposed sale or disposal shall be submitted to the electors at a special election to be called for that purpose, or at a general election, to be held not less than thirty (30) nor more than ninety (90) days after the filing with the City Clerk of such proof of publication, the said election to be called, proclaimed, held, conducted and canvassed after the manner of general or special city elections with respect to amendments or repeals of the charter of such city. The proposition to be submitted to the electors shall be stated on the ballot substantially as follows:

Shall the purchase (or sale or other disposal) of the property and franchise (or the capital stock) of (insert the name of the electric utility) to (insert name of the purchaser) for the sum of $........... and upon the other terms and conditions as first published on (here insert the date of first publication) in (here insert the name of the newspaper) be approved?

YES ☐

NO ☐

Section 15. In addition to the rights and powers in this Act enumerated, and in no manner limiting or restricting the same, and except as by this Act otherwise specifically provided or limited, the Commission provided in this Act shall have all the powers of a Public Power District organized under Sections 60-701 to 70-719, Compiled Statutes Supplement, 1941, and amendments thereto, not in conflict herewith, and shall be subject to the laws of the State governing Public Power Districts, except as by this Act otherwise specifically provided.

Mr. Peterson asked for a division of the question.

Speaker Crosby presiding

Mr. Cullingham moved to adopt Section 8 of his amendments.

The motion was lost with 9 ayes, 16 nays, 18 not voting.

Mr. James H. Anderson moved that the Legislature reconsider its action in refusing to adopt Section 8.

The motion was lost with 18 ayes, 1 nay, 24 not voting.

Section 8 was not adopted.

President Johnson presiding

Mr. Peterson offered the following amendment to Section 9 of the Cullingham amendments:

Amend Section 9 by striking the first two sentences thereof.

The amendment was adopted.

Section 9 of the Cullingham amendment, as amended, was adopted.

Adjournment

At 5:05 p.m. on motion by Mr. Foster the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 13, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Sixty-seventh Day was approved as corrected.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 100. Correctly engrossed.

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Referred to Committee on Government.

NOTICE OF COMMITTEE HEARINGS

Government

Legislative Resolution 22 Wednesday, April 21, 1943, 4:30 p.m.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 174.

A bill for an act to amend sections 37-101, 37-202, 37-204, 37-212, 37-301, 37-305, 37-306, 37-309, and 37-501, C. S. Supp., 1941, and sections 37-410, 37-413, 37-503 and 37-506, Compiled Statutes of Nebraska, 1929, relating to game and fish; to provide regulations covering the manner of taking, storing, selling and transporting game and fish; to provide for the issuance of permits and authorizing the collection of fees therefor; to reallocate an amount equal to certain money derived from state park concessions to said parks; to prescribe penalties; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Crosby
Matzke
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 147. Passed over.

Approved by the Governor

April 13, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 140	L. B. 152

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor

MOTION—Report on L. B. 124

Mr. Mischke presiding

Mr. President: I move that the Committee on Public Health and Miscellaneous Subjects be instructed to report on L. B. 124.

(Signed) Thomas

Mr. Gutoski moved to amend the Thomas motion to include L. B. 139, and report to the Legislature not later than Thursday morning.

Mr. Foster moved to amend the Gutoski motion to include L. B. 202.

The Foster motion prevailed.

The Gutoski motion as amended prevailed.

Mr. James H. Anderson asked for a division of the Thomas motion as amended. So ordered.

Mr. Thomas moved a call of the House.

A call of the House was ordered.

Mr. Mueller moved to raise the call.

The motion prevailed with 27 ayes, no nays, 16 not voting.

The Thomas motion as to L. B. 124 prevailed with 22 ayes, no nays, 21 not voting.

The Thomas motion as to L. B. 139 prevailed with 33 ayes, no nays, 10 not voting.

The Thomas motion as to L. B. 202 prevailed with 26 ayes, no nays, 17 not voting.

SELECT FILE

President Johnson presiding

LEGISLATIVE BILL 38. Passed over.

LEGISLATIVE BILL 256. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 188. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 185. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 166. Mr. Mekota moved to postpone indefinitely.

The motion was lost with 12 ayes, 25 nays, 6 not voting.

STANDING COMMITTEE REPORTS (Continued)

Enrollment and Review

LEGISLATIVE BILL 150. Presented to Governor for approval Tuesday, April 13, 1943 at 11:20 a.m.

LEGISLATIVE BILL 187. Correctly enrolled.

LEGISLATIVE BILL 284. Replaced on Select File with amendments.

E and R amendments to L. B. 284:

1. Amend the legislature amendments by Messrs. Greenamyre, Reavis and Mischke, adopted April 12, 1943, by inserting: "and all amendments thereto" in the 2nd line, after the section number and before the word "and", in amendments Nos. 1, 2, 3 and 4; in the 4th line of amendment No. 6, after "inclusive" and before the period; in the 2nd line of amendment No. 7, after the punctuation "," and before the word "and"; amend the legislature amendments by Mr. Mischke, adopted April 12th, by adding, at the end of said amendments, the following: "Said amendments all referring to the amendments by Messrs. Greenamyre, Reavis and Mischke."

2. In legislature amendment No. 2, by Messrs. Greenamyre, Reavis and Mischke, line 5, after the word "appear" insert: "to it to be", and in said line strike: "to them"; line 6, strike "They" and in lieu thereof, insert: "The board"; line 7, strike: ", shall" and in lieu thereof insert "and"; line 8, strike "they" before "may" and in lieu thereof insert "it".

3. In legislature amendment No. 4, by Messrs. Greenamyre, Reavis and Mischke, strike all of line 4 after the word "centers", all of line 5, and all of line 6 except the word "Upon", and in lieu thereof, insert: ". The farms chosen shall each be typical of the area selected as a location for such a testing center. The total area of each of such testing centers shall not be more than is adequate and necessary to best carry out the interest and purpose of this act."; line 15, strike: ", and" and in lieu thereof insert: ". They"; line 16, strike: ", with" and in lieu thereof, insert: "and contain a"; line 13, strike the word "lease" and in lieu thereof, insert: "the leasing".

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 187

Recess

At 12:04 p.m. Mr. Mischke moved to recess until 2:00 p.m.

The motion prevailed with 24 ayes, no nays, 19 not voting.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Carmody.

MOTION—Saturday Session

Mr. President: I move that when we adjourn Friday afternoon we adjourn until Saturday, 9:00 a.m.

(Signed) Mueller

The motion was lost with 13 ayes, 16 nays, 14 not voting.

SELECT FILE

LEGISLATIVE BILL 166. E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Mr. Craven moved to refer the bill to General File for the following Specific Amendment:

Amend Sec. 4, page 2, line 4 of the printed bill by striking the period after the word "Council" and inserting a comma in lieu thereof and inserting the following words and punctuation: "provided, that the salary or compensation of said director or other employees shall not exceed the sum of $3600.00 per year."

Mr. Crosby offered an amendment to the Craven motion, which was lost with 15 ayes, 17 nays, 11 not voting.

Mr. Craven's motion prevailed with 25 ayes, 2 nays, 16 not voting.

LEGISLATIVE BILL 60. Mr. Asimus moved to refer the bill to General File for specific amendment.

Mr. Asimus moved a call of the House.

A call of the House was ordered.

Mr. Sorrell moved to raise the call.

The motion prevailed with 32 ayes, no nays, 11 not voting.

The Asimus motion was lost with 15 ayes, 21 nays, 7 not voting.

E and R amendments, found in the Legislative Journal for the Sixty-seventh Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 166. Mr. Craven moved to adopt his Specific Amendment above set out.

The motion prevailed with 18 ayes, 3 nays, 22 not voting.

Mr. Mekota offered the following amendment, which was adopted:

Amend by adding the following Section after Section 11: The director shall keep or cause to be kept an accurate record of the meetings and proceedings of the Council, and shall keep books of account according to approved bookkeeping methods, of all expenditures from said fund and the purposes for which such expenditures are made. During the month of March, 1945 the director shall file with the Clerk of the Legislature a report showing in detail all such expenditures from the date of organization to March 1st, 1945, and the purposes for which such expenditures were made, including detailed accounts of the expense of each employee and of each of the members of said Council. Said report shall also disclose the results obtained by said Council.

Mr. Craven offered the following amendment, which was adopted:

Amend L. B. 166 by inserting in Sec. 8, page 3, subsection (2), line 12 of the printed bill, following the comma after the word "facilities", the following words: "freight rates".

Referred to E and R for review.

MOTION—Not to Concur

Mr. President: I move we do not concur in the recommendation of Revenue Committee on L. B. 129 as recorded on page 898 of Journal and that the bill be placed on General File.

(Signed) Mischke

After discussion, Mr. Conklin moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 22 ayes, 3 nays, 18 not voting.

A record vote was requested on the Mischke motion.

Mr. Conklin moved a call of the House.

A call of the House was ordered.

Mr. Klaver moved to raise the call.

The motion prevailed with 22 ayes, 16 nays, 5 not voting.

Voting in the affirmative on the Mischke motion, 22:

Asimus
Brodahl
Burnham
Conklin
Crossland
Doyle
Garber
Greenamyre
Hanna
Jeffords
Jeppesen
Matzke
Mekota
Mischke
Neubauer
Osborne
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Bowman
Craven
Crosby
Cullingham
Dooley
Foster
Gantz
Gutoski
Heiliger
Hubka
Klaver
Lee
Mueller
Norman
Ogden
Peterson
Raecke
Tvrdik

Not voting, 1: Carmody.

The motion prevailed, and the bill was placed on General File.

Adjournment

At 5:00 p.m., on motion by Mr. Foster, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SIXTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 14, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Matzke, who was excused.

The Journal for the Sixty-eighth Day was approved as corrected.

STANDING COMMITTEE REPORTS

Revenue

LEGISLATIVE BILL 15. Indefinitely postponed.

(Signed) Raecke, Chairman

Enrollment and Review

Presented to Governor for Approval

Tuesday, April 13, 1943 at 2:15 p.m.

Legislative Bill 187

LEGISLATIVE BILL 174. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 23

Legislative Bill 174

RESOLUTIONS

LEGISLATIVE RESOLUTION 24. Records of Emergency Relief Administration

Introduced by Robert B. Crosby

WHEREAS, there is now being stored in the vaults of the State Capitol a great number of books, records and papers of the Nebraska Emergency Relief Administration, which were turned over to the Governor of Nebraska on January 1, 1938, when the Nebraska Emergency Relief Committee ceased to function; and

WHEREAS, such books, records and papers are no longer needed for any purpose and are occupying needed storage space; and

WHEREAS, there is some doubt as to the authority of the Governor and Attorney General to authorize the destruction of such books, records and papers under section 84-713, Compiled Statutes of Nebraska, 1929, due to the fact that the Nebraska Emergency Relief Committee was not an official department or agency of the state, created by statute, and its powers, duties and functions have not, by statute, been conferred upon or delegated to any other department or agency of the state;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Governor and Attorney General of Nebraska be authorized to order the destruction of any part or all of the books, records and papers of the Nebraska Emergency Relief Committee, which, in their judgment, it is not necessary to keep and preserve.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 141. With emergency clause.

A bill for an act relating to reimbursement of the state real estate commissioner's fund; to provide that the sum of two thousand dollars from the chemurgy fund and five thousand four hundred eighty-eight dollars and twenty-seven cents from the general fund be appropriated and transferred to the state real estate commissioner's fund, designated as account sixty-five in the office of the Auditor of Public Accounts; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Brodahl
Burnham
Greenamyre
Matzke

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Program for Good Friday

Mr. President: I move that the Chaplain arrange an appropriate program for Good Friday, April 23, 1943, and that it be made an order of the day for 10:30 a.m.

(Signed) Norman

The motion prevailed with 21 ayes, 8 nays, 14 not voting.

SELECT FILE

LEGISLATIVE BILL 284. E and R amendments, found in the Legislative Journal for the Sixty-eighth Day, were adopted.

Referred to E and R for engrossment.

MOTION—Not to Concur

Mr. President: I move that we do not concur in the committee report indefinitely postponing L. B. 273, and that the bill be placed on General File.

(Signed) Mekota

The motion prevailed with 32 ayes, no nays, 11 not voting.

GENERAL FILE

Speaker Crosby presiding

Mr. Mekota was excused for half an hour.

Mr. Greenamyre asked that the two general appropriation bills be considered on General File. So ordered.

LEGISLATIVE BILL 95. Mr. Peterson asked that unanimous consent be granted to waive reading the original bill and in place of that read the committee amendments.

No objection was offered. So ordered.

Read and considered.

Mr. Greenamyre offered the following amendment, which was adopted by unanimous consent:

Amend Section 1 of the Standing Committee amendments, line 25, by striking the figures "86,250.00" and inserting in lieu thereof the figures "96,250.00".

Laid over. Retains place on File.

LEGISLATIVE BILL 96. Mr. Greenamyre asked that unanimous consent be granted to waive reading the original bill and in place of that read the committee amendments.

No objection was offered. So ordered.

Read and considered.

Mr. Greenamyre, as Chairman of the Committee on Appropriations, offered the following amendments to the Standing Committee amendments to L. B. 96:

1. Amend section 1, line 69, by striking the word "(Comptroller)".

2. Amend section 5, line 8, by inserting the words and punctuation: ", no estimate".

3. Amend section 9, line 14, by inserting after the word "hand" the words, figures and punctuation: ", as of June 30, 1943".

4. Amend section 9, line 32, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

5. Amend section 9, line 41, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

6. Amend section 10, lines 24 and 25, by striking the words and punctuation "Metropolitan Utilities District;".

7. Amend section 10, by striking all of line 26 and then inserting the following: "Statute Commission; and including appropriations from other departments for auditing services as follows: University of Nebraska, $4,600.00; Department of Agriculture and Inspection, $3,150.00; Department of Labor, $300.00; Workmen's Compensation Court, $500.00; Department of Health, $1,000.00; Railway Commission, $400.00; Board of Vocational Education, $500.00; Department of Assistance and Child Welfare, $500.00; Secretary of State, $250.00; Game, Forestation and Parks Commission, $300.00; Racing Commission, $100.00; Normal Schools (Traveling Expenses), $500.00, then appropriate $41,920.00".

8. Amend section 10, by striking all of lines 28 and 29.

9. Amend section 10, line 41, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

10. Amend section 11, lines 7 and 8, by striking all of line 7 and the words "for legal assistance" in line 8, and insert in lieu thereof the following: "appropriations from other state officers and state departments for legal services as follows: Department of Roads and Irrigation, $9,200.00; Department of Agriculture and Inspection, $7,000.00; Secretary of State, $600.00; Board of Educational Lands and Funds, $4,500.00; and Nebraska Liquor Control Commission, $2,000.00,".

11. Amend section 13, line 13, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

12. Amend section 14, line 22, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

13. Amend section 14, line 35, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

14. Amend section 14, line 50, by striking the word "appropriate" and insert in lieu thereof the word: "reappropriate".

15. Amend section 14, line 51, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

16. Amend section 15, line 28, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

17. Amend section 18, line 27, by inserting after the figures "1943" the following: ", no estimate".

18. Amend section 18, line 38, by striking the words "then appropriate".

19. Amend section 18, lines 42 and 43 by striking the words "then appropriate".

20. Amend section 18, lines 53 and 54, by striking the words "then appropriate".

21. Amend section 18, lines 62 and 63, by striking the words "then appropriate".

22. Amend section 18, line 76, by inserting after the word "hand" and before the punctuation the words, figures, and punctuation: "as of June 30, 1943".

23. Amend section 18, line 80, by inserting after the punctuation following the word "Inspection" the following words and punctuation: "including the amounts necessary for seed testing activities of the department, and".

24. Amend section 18, line 95, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

25. Amend section 18, line 128, by striking the word "estimated" and inserting in lieu thereof the words: "no estimate".

26. Amend section 18, lines 132 and 133, by striking the words "then appropriate".

27. Amend section 18, lines 138 and 139, by striking the words "then appropriate".

28. Amend section 19, line 23, by inserting after the punctuation following the word "associations" the words: "Industrial Loan and Investment Companies".

29. Amend section 19, line 24, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943, in Aud. Acct. 205 and 208".

30. Amend section 19, line 25, by striking the figures "71,500.00" and inserting in lieu thereof the figures: "74,000.00".

31. Amend section 19, by striking all of lines 34 to 38.

32. Amend section 20, line 13, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

33. Amend section 20, line 28, by inserting after the word "balance" the words, figures and punctuation: ", as of June 30, 1943, no estimate".

34. Amend section 20, line 33, by inserting after the word "hand" the words, figures and punctuation: ", as of June 30, 1943".

35. Amend section 20, line 56, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

36. Amend section 20, line 62, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

37. Amend section 20, line 67, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

38. Amend section 20, line 73, by striking the word "preventative" and inserting in lieu thereof the word: "preventive".

39. Amend section 20, line 71, by inserting after the word "section" the words: "for public health purposes".

40. Amend section 21, line 17, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

41. Amend section 21, line 22, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

42. Amend section 22, line 5, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

43. Amend section 22, line 13, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

44. Amend section 22, line 23, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

45. Amend section 22, line 27, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943 in Aud. Acct. 153F".

46. Amend section 23, line 16, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

47. Amend section 23, line 17, by striking the words and punctuation "Bureau of Roads,".

48. Amend section 23, line 21, by striking the comma after the word "busses".

49. Amend section 23, line 22, by inserting a comma after the word "fees".

50. Amend section 23, line 50, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

51. Amend section 23, line 105, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

52. Amend section 23, line 115, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

53. Amend section 23, line 118, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

54. Amend section 24, line 42, by striking the words and figures "Fund 354 A,".

55. Amend section 24, line 75, by striking the words and figures "Fund 359 A,".

56. Amend section 26, line 24, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

57. Amend section 27, line 6, by inserting after the word "hand" and before the punctuation the words, figures and punctuation: "as of June 30, 1943".

58. Amend section 28, line 10, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

59. Amend section 28, line 27, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

60. Amend section 28, line 38, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

61. Amend section 30, line 9, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

62. Amend section 33, line 4, by inserting after the punctuation following the figures "1941" the following: "including not to exceed $100.00 travel and necessary expense for audit of the Racing Commission by the Auditor of Public Accounts".

63. Amend section 34, line 4, by inserting after the word "Maintenance" the following words and punctuation: ", including not to exceed $500.00 for necessary expense in auditing the Board of Vocational Education and Nebraska Trade School by the Auditor of Public Accounts".

64. Amend section 34, line 34, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

65. Amend section 34, line 38, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

66. Amend section 35, line 9, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

67. Amend section 36, lines 20 and 21, by striking the words "and Aud. Acct. 634" and inserting in lieu thereof: ", then appropriate".

68. Amend section 36, line 33, by striking the words "not to exceed" and inserting in lieu thereof the following: ", reappropriate unexpended balance as of June 30, 1943 in Aud. Acct. 634".

69. Amend section 36, line 38, by striking the word "estimated" and inserting in lieu thereof the words: "not to exceed".

70. Amend section 36, line 45, by inserting after the word "hand" the words, figures and punctuation: "as of June 30, 1943".

71. Amend section 36, line 52, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

72. Amend section 37, line 1, by striking the word "(Comptroller)".

73. Amend section 38, line 10, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

74. Amend section 38, line 25, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

75. Amend section 38, line 29, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

76. Amend section 38, line 46, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

77. Amend section 38, line 50, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

78. Amend section 38, line 62, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

79. Amend section 38, line 65, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

80. Amend section 38, by inserting after line 66 the following: "Endowment and income funds; reappropriate unexpended balance as of June 30, 1943 of endowment and income funds for the purposes of said funds".

81. Amend section 39, line 23, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

82. Amend section 39, line 34, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943".

83. Amend section 40, lines 4 to 7 inclusive, by striking all of lines 4, 5, and 6 and the words "of Public Accounts" in line 7.

84. Amend section 51, line 4, by inserting the following: "any additional federal funds made available to the credit of the State Treasurer during the biennium ending June 30, 1945 shall be allocated to the expending agency designated by the Federal Government or if none be designated, by such expending agency as may be designated by the Governor."

85. Amend section 10, lines 17 and 18, by striking the words and punctuation "Racing Commission;".

86. Amend section 18, line 124, by striking the word "estimated".

87. Amend section 34, line 31, by inserting after the word "balance" the words, figures and punctuation: "as of June 30, 1943,".

88. Amend section 36, lines 19 and 20, by striking the words "and the unexpended balance".

89. Amend section 36, line 33, by striking the figures "236,455.55".

1. Amend section 24 of the Standing Committee amendments, line 15, by striking the comma and inserting after the word "Legislature" the following words, figures and punctuation: "; appropriate the share of the aircraft fuel tax allocated to the state assistance fund under section 3-215, C. S. Supp., 1941, as amended by Legislative Bill 429, Fifty-Sixth Session of the Nebraska Legislature;".

1. Amend section 34, line 4, of the Standing Committee amendment, by inserting after the word "Maintenance" the following words and punctuation: ", including not to exceed $500.00 for necessary expense in auditing the Board of Vocational Education and Nebraska Trade School by the Auditor of Public Accounts,".

1. Amend Standing Committee amendment, section 44, line 34, by inserting after the punctuation following the word "Commissioner" the following: "If, during the biennium ending June 30, 1945, the State of Nebraska shall be reimbursed by the United States government or from any other source for any disbursements made from this appropriation, the amount of such reimbursements is hereby appropriated to the same agencies, for the same purpose, and under the same terms and conditions as above set forth."

1. Amend standing committee amendment, section 26, line 19, by striking the word "and" after the figures "231" and inserting a comma in lieu thereof, and by striking the comma after the figures "232" and inserting the following in lieu thereof: "and E-232".

The above amendments were adopted.

Laid over. Retains place on File.

Approved by the Governor

April 14, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved L. B. 150.

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

Recess

At 12:05 p.m. Mr. Foster moved that the Legislature recess until 2:00 p.m.

The motion prevailed with 27 ayes, 1 nay, 16 not voting.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Matzke, who was excused.

NOTICE OF COMMITTEE HEARINGS

Appropriations

L. B. 437, Tuesday, April 20, 1943, 1:30 p.m.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 166. Replaced on Select File with amendments.

E and R amendments to L. B. 166:

1. Amend the first legislature amendment by Mr. Craven, on April 13th, 2nd line, by striking the word "comma" and in lieu thereof insert the word "semicolon"; in the last line of the insertion, strike: "$3600.00" and in lieu thereof insert: "thirty-six hundred dollars".

2. In the second legislature amendment by Mr. Craven, on April 13th, insert a comma after the words "freight rates" and before the quotation mark, in the last line of said amendment.

3. Amend the legislature amendment by Mr. Mekota, on April 13th, by inserting, at the beginning of the insertion, the following: "Sec. 12."; strike the comma at the end of the 2nd line, after "Council"; 3rd line, strike the word "shall"; and insert a comma after "account"; 6th line, insert a comma after "1945"; 8th line, strike "1st" and in lieu thereof insert "1"; 9th line, strike the word "and" before "the purposes"; 11th line, strike: "of each of the members" and in lieu thereof, insert: "member"; 11th and 12th lines, strike: ". Said report shall" and in lieu thereof, insert: ", and".

4. In the bill, page 5, Section 12, line 1, strike "12" and in lieu thereof insert "13"; in Section 13, line 1, strike "13" and in lieu thereof insert "14".

5. In the bill, title, page 1, 6th line, after "employees;" and before the word "to", insert: "to limit the salary of the director and other employees of the council; to specify certain duties of the director;".

LEGISLATIVE BILL 303. Replaced on Select File with amendments.

E and R amendments to L. B. 303:

1. In Enrollment and Review Committee amendment No. 4, 5th line, strike: "the comma at the end of line 32 and"; 7th line, strike "~~,~~", after "voter's".

Correctly Engrossed

L. B. 185
L. B. 188
L. B. 256
L. B. 56
L. B. 132
L. B. 263
L. B. 274

LEGISLATIVE BILL 141. Correctly enrolled.

LEGISLATIVE BILL 174. Presented to Governor for approval Wednesday, April 14, 1943, at 3:25 p.m.

(Signed) James H. Anderson, Chairman

Education

LEGISLATIVE BILL 435. Placed on General File.

LEGISLATIVE BILL 436. Placed on General File.

(Signed) Ogden, Vice Chairman

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 139. Placed on General File with amendments.

Standing Committee amendments to L. B. 139:

1. Amend the bill, page 14, section 20, line 40, by striking the figures "1921" and insert in lieu thereof the figures "1929" and insert a "." after the figures "1929".

2. Amend the bill, section 20, by striking all of lines 40, 41, 42, and 43 following the figures "1921" in line 40.

3. Amend the bill, page 14, section 20, line 50, by inserting the words "not heretofore specifically named," after the word and punctuation "art,".

4. Amend the bill, page 15, section 21, line 3, by inserting "(A)" after the figures "71-1403".

5. Amend the bill, line 4 of said section 21 by inserting after the word "surgery" the words and punctuation ", except persons now licensed to practice osteopathy in the state of Nebraska,".

6. Amend the bill, by adding to said section 21 the following sub-section "(B)": "(B). Any person now licensed to practice osteopathy in the state of Nebraska, may, if application is made prior to July 1, 1948, upon payment of the prescribed fee, take the first regular examination given after the application is made before the Board of Examiners in Medicine and Surgery, and, if successful in passing such examination, he shall receive a license to practice medicine and surgery in the state of Nebraska; Provided, however, that any doctor of osteopathy now licensed and practicing in the state of Nebraska, who is able to show satisfactory evidence of having taken and successfully passed the regular examination in medicine and surgery shall be issued a license hereunder upon payment of the prescribed fee.".

7. Amend the bill, page 17, sub-section 10, line 56 by striking the letter "A" and inserting in lieu thereof the words "An osteopathic".

8. Amend the bill by adding the following section: "Sec. 24. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.".

9. Amend the title of the bill by striking the punctuation "." and insert the following in lieu thereof "; and to declare an emergency.".

LEGISLATIVE BILL 124. Indefinitely postponed.

(Signed) Foster, Chairman

STATEMENT—Appropriations Committee

Mr. President:

At a meeting of the Committee on Appropriations held April 14, 1943, the following motion was adopted:

"Mr. Chairman: I move that the committee introduce a resolution in the Legislature directing that the Legislative Council make a study of the advisability of crediting cash funds to the general fund; the Legislature to make appropriations in specific amounts from the general fund for the use of such departments and agencies. The Legislative Council to report results and findings to the next regular session of the Legislature."

The Committee, conforming to the requirements of the above motion, herewith submits such Resolution for introduction in the Legislature.

(Signed) Greenamyre, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 15. Premiums on Bonds of Employees

Mr. Greenamyre moved to suspend the rules and consider the resolution at once.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Mr. Greenamyre moved that the resolution be adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE RESOLUTION 16. Auditing Certain State Departments

Mr. Greenamyre moved to suspend the rules and consider the resolution at once.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Greenamyre moved that the resolution be adopted.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE RESOLUTION 17. Funds of State Racing Commission

Mr. Greenamyre moved to suspend the rules and consider the resolution at once.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Raecke moved to amend the resolution by striking the word "requested" and inserting in lieu thereof the word "directed".

The motion prevailed.

The resolution as amended, was adopted with 32 ayes, no nays, 11 not voting.

LEGISLATIVE RESOLUTION 25. Fees Received by Administrative Departments

Introduced by Appropriations Committee, by H. G. Greenamyre, Chairman.

WHEREAS, it has been the practice for many years for the various departments and agencies of the state, that collect cash fees, to have the Legislature appropriate and reappropriate the same for use of such departments and agencies,

WHEREAS, such practice has led to the impression by many of such departments and agencies that they should be permitted to spend the amount of such fees so collected and received by such departments and agencies irrespective of the actual needs in the exercise of good government.

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That after the adjournment of this session of the Legislature, the Legislative Council be directed to make a study of the advisability of crediting all cash fees, when received by any department or agency, to the general fund of the state, and having the Legislature make appropriations in specific amounts from the general fund for the use of such departments and agencies, in order that economy in government may be promoted and the exact amount expended may be ascertained and provided for by the Legislature prior to the next biennium in which they are to be expended.

2. That the Legislative Council report the results of its investigation and study to the next regular session of the Legislature.

Mr. Greenamyre moved that the rules be suspended and the resolution considered at once.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Laid over.

STATEMENT—Appropriations Committee

At a meeting of the Committee on Appropriations held on April 14, the following motion was adopted:

"I move that the committee introduce a bill which would provide for the appointment by the Governor of a State Board of Vocational

Education and to amend section 79-2003, C. S. Supp., 1941 and 79-2204 and 79-2205 Compiled Statutes of Nebraska, 1929."

Complying with the motion set forth above, the committee submits such Legislative Bill for introduction.

(Signed) Greenamyre, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 437. By Appropriations Committee, H. G. Greenamyre of Madison, Chairman

A bill for an act to amend section 79-2203, C. S. Supp., 1941, and sections 79-2204 and 79-2205, Compiled Statutes of Nebraska, 1929; to provide for the appointment by the Governor of a State Board of Vocational Education; to provide for the tenure of office and compensation of members of the board; to provide for the powers and duties to be exercised by the board; to provide for the appointment of an executive secretary of such board to be called Director of Vocational Education; to provide for term of office, salary, powers and duties of such director; to repeal original section 79-2203, C. S. Supp., 1941, and sections 79-2204 and 79-2205, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Mr. Greenamyre moved that the rules be suspended and the bill referred at once.

The motion prevailed with 29 ayes, no nays, 14 not voting.

LEGISLATIVE BILL 437. Referred to Committee on Appropriations.

GENERAL FILE

LEGISLATIVE BILL 204. Section 10 of the Cullingham amendments, found in the Legislative Journal for the Sixty-seventh Day, was read and considered.

No action taken thereon.

Section 11 of the Cullingham amendments was read and considered.

Mr. Lee offered the following amendments, which were adopted:

Amend Sec. 11 as follows:

(a) Insert in line 3 following the word "by" the words "condemnation under the power of eminent domain".

(b) Add to the end of Section 11 the words:

"In event of acquisition by condemnation as in this section authorized, the procedure for arriving at and determining value shall be the manner provided in Sections 19-708 to 19-714, both inclusive, Nebraska Compiled Statutes, Supplement 1941, and amendments thereto".

Mr. Thompson offered the following amendment:

"Strike from the Cullingham amendment, Sec. 11, the following line "Such purchase may be made subject to existing liens or incumbrances or subject to or upon the assumption of outstanding bonds or other indebtedness".

No action taken thereon.

Adjournment

At 5:12 p.m. on motion by Mr. Foster the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTIETH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 15, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Greenamyre and Matzke, who were excused.

The Journal for the Sixty-ninth Day was approved.

Communications

A letter was read from J. C. McReynolds, regarding L. B. 201.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 141

RESOLUTIONS

LEGISLATIVE RESOLUTION 24. Referred to Labor and Public Welfare.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 147. With emergency clause.

A bill for an act relating to revenue; to provide for a levy of one-tenth of one mill, upon all the taxable property of the state, except intangibles, for the years 1943 to 1947, inclusive, to reimburse the permanent school fund in the sum of $503,929.10 for all losses sustained therein, as reported by the Auditor of Public Accounts to the Board of Educational Lands and Funds on December 21, 1942, and by such board to the Legislature, and any excess raised by such levy to be disposed of in such manner as may be provided by law; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Anderson, James H.
Bowman
Brodahl
Carmody
Conklin
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 10:

Anderson, D. S.
Asimus
Burnham
Craven
Dooley
Greenamyre
Matzke
Norman
Reavis
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 224. With emergency clause.

A bill for an act to amend section 79-104, C. S. Supp., 1941, as amended by legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943, and sections 79-113 and 79-2003, Compiled

Statutes of Nebraska, 1929, relating to school districts; to provide a method for the annexation of the remaining part of a school district to an adjoining district or districts when the United States has purchased or appropriated the land of a district, for any defense or war projects, so as to leave less than four sections of land and fewer than twenty persons of school age; to provide for sale of the schoolhouse, schoolhouse site or other property of a school district, when the district, or any part thereof, has been taken over by the United States for any defense or war project and the distribution of the proceeds of such sale; to provide for distribution of funds when the remaining part of a district is attached to another district; to repeal the original sections and original legislative bill 84, fifty-sixth session of the Nebraska State Legislature, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Asimus
Greenamyre
Lee
Matzke

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

Speaker Crosby Presiding

LEGISLATIVE BILL 38. Mr. Raecke offered the following amendments, which were adopted by unanimous consent:

1. Amend page 7 of the bill, by inserting after section 17, a new section numbered 18, reading as follows:

"Sec. 18. On or before March 1 of each year, the county treasurer shall make a report in writing to the county board setting out a complete list of all parcels of real estate in the county on which any taxes are delinquent and which were not sold for want of bidders at the last annual tax sale held in such county. It shall be the duty of the county board, at its first meeting held after the making of such report, to carefully examine the same, and, while it may direct the issuance of tax sale certificates to the county upon any parcel of real estate upon which there are any delinquent taxes, it shall, as to all parcels of real estate upon which taxes are delinquent for three or more years, either enter an order directing the county attorney to foreclose the lien of such taxes, as provided in section 1 of this act, or shall enter an order for the county treasurer to issue tax sale certificates to the county covering the delinquent taxes upon such parcels of real estate, to be foreclosed upon in the manner and at the time provided in this act. It shall be the duty of the county attorney to promptly institute suit to foreclose the lien of the taxes when ordered by the county board, and to promptly foreclose any tax sale certificate issued to the county as soon as action can be properly brought on any such certificate. Any county treasurer, county attorney or member of the county board, who shall fail, neglect or refuse to perform the duties imposed by this act, shall be guilty of official misdemeanor and subject to removal from office as provided in sections 26-1701 to 26-1709, Compiled Statutes of Nebraska, 1929, and any amendments thereof."

2. Amend page 7 of the bill, by striking the section number to present section "18", and inserting in lieu thereof the figure "20".

Amend the title to the bill, line 5, by inserting after the punctuation following the word "proceedings" the following: "to prescribe certain duties of county officers in the collection of taxes; to provide penalties;".

Referred to E and R for engrossment.

LEGISLATIVE BILL 166. E and R amendments, found in the Legislative Journal for the Sixty-ninth Day, were adopted.

Mr. Peterson moved to refer the bill to E and R for engrossment.

The motion prevailed with 24 ayes, 9 nays, 10 not voting.

LEGISLATIVE BILL 303. E and R amendments, found in the Legislative Journal for the Sixty-ninth Day, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

April 14, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 187 L. B. 174 L. B. 102

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor

GENERAL FILE

Mr. Peterson asked that unanimous consent be granted to consider bills carrying appropriations, other than the general appropriation bills, on General File at once.

No objection was offered. So ordered.

LEGISLATIVE BILL 317. Read and considered.

Mr. Peterson moved that the bill be laid over and be made Special Order of the day at 10:00 a.m. Friday, April 16, 1943.

The motion prevailed.

LEGISLATIVE BILL 410. Mr. Mekota offered the following amendments, which were adopted:

1. Amend page 4 of the bill, by inserting after section 7, a new section numbered 8, and reading as follows:

"Sec. 8. It shall be unlawful to deliver any mail to the mailing room, to be metered and dispatched, or to deposit in the United States mail any envelope metered by a postage metering machine of the State of Nebraska, for any purpose or upon any business other than the dispatch of mail appertaining strictly to official business of the State of Nebraska. Any person violating this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars."

2. Amend page 4 of the bill, by renumbering present section "8" as "9".

3. Amend the title to the bill, line 20, by inserting after the punctuation following the word "act" the following: "to provide a penalty;".

Referred to E and R for review.

LEGISLATIVE BILL 411. Read and considered.

Mr. Neubauer moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 13:

Anderson, D. S.
Carmody
Craven
Jeppesen
Klaver
Mekota
Neubauer
Ogden
Osborne
Rakow
Sorrell
Thompson
Weborg

Voting in the negative, 19:

Anderson, James H.
Asimus
Brodahl
Burnham
Conklin
Crossland
Cullingham
Gantz
Garber
Gutoski
Hanna
Heiliger
Jeffords
Lee
Mischke
Mueller
Norman
Reavis
Tvrdik

Not voting, 11:

Bowman
Crosby
Dooley
Doyle
Foster
Greenamyre
Hubka
Matzke
Peterson
Raecke
Thomas

The motion was lost.

Mr. Hanna moved to add the emergency clause and amend the title to conform.

The motion prevailed.

Mr. Neubauer offered the following amendment:

1. Amend page 2 of the bill, lines 13 and 14, by striking the words "**unless they contain at least fifty per cent animal fat,**" and inserting in lieu thereof:

"unless the Board of Control is unable to procure butter made from the fatty constituent of cows milk in sufficient quantities to supply the needs of such institutions, in which event such board may purchase oleomargarine, imitation butter or butter substitute only to the extent necessary to supply the deficiency of genuine butter to meet the needs of such institutions."

Record vote was requested.

Voting in the affirmative, 7:

Anderson, D. S.
Carmody
Jeppesen
Neubauer
Ogden
Thompson
Weborg

Voting in the negative, 19:

Anderson, James H.
Asimus
Brodahl
Conklin
Cullingham
Dooley
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Lee
Mischke
Mueller
Norman
Raecke
Reavis
Tvrdik

Not voting, 17:

Bowman
Burnham
Craven
Crosby
Crossland
Doyle
Greenamyre
Hubka
Jeffords
Klaver
Matzke
Mekota
Osborne
Peterson
Rakow
Sorrell
Thomas

The amendment was not adopted.

Mr. Thompson offered the following amendment:

1. Amend page 2 of the bill, section 1, line 3, by striking the word "The" and inserting in lieu thereof the words "Until March 1, 1945, the".

2. Amend page 2 of the bill, section 1, line 14, by striking the comma after the word "fat", inserting a period in lieu thereof, and then adding: "Commencing March 1, 1945, the Board of Control shall not purchase for or supply to such institutions any oleomargarine, imitation butter or butter substitutes, but shall purchase and supply only butter made from fatty constituent of cows' milk."

Record vote was requested.

Voting in the affirmative, 20:

Anderson
Asimus
Burnham
Carmody
Craven
Cullingham
Foster
Gantz
Jeppesen
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 13:

Anderson, James H.
Brodahl
Dooley
Garber
Gutoski
Hanna
Heiliger
Hubka
Lee
Mischke
Mueller
Raecke
Reavis

Not voting, 10:

Bowman
Conklin
Crosby
Crossland
Doyle
Greenamyre
Jeffords
Klaver
Matzke
Mekota

The amendment was adopted.

Mr. Carmody offered the following amendment:

Amend Section 1, line 10, by striking the words "**Orthopedic Hospital**", and in lines 11 and 12 "Home for Dependent Children".

No further action taken.

STANDING COMMITTEE REPORTS

Public Health and Miscellaneous Subjects

LEGISLATIVE BILL 202. Laid over for further consideration.

LEGISLATIVE BILL 229. Placed on General File with amendments.

Standing Committee amendments to L. B. 229:

1. Amend page 3 of the bill, by adding two new sections, numbered 6 and 7, reading as follows:

"Sec. 6. That section 52-603, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

52-603. In accordance with the terms of the notice given as provided by **section 52-602, Compiled Statutes of Nebraska, 1929,** ~~the next preceding section,~~ a sale of the goods by auction may be had to satisfy any valid claim of the claimant for which he has a lien on the goods. The sale shall be had in the place where the lien was acquired, or, if such place is manifestly unsuitable for the purpose, the nearest suitable place after the time for the payment of the claim specified in the notice to the debtor has lapsed and an advertisement **or notice** of the sale **has been published or posted.** ~~describing the goods to be sold, and stating the name of the owner or person on whose account the goods are held and the time and place of the sale, shall be published once a week for two consecutive weeks in a newspaper published in the place where such sale is to be held. The sale shall not be held less than fifteen days from the time of the first publication. If there is no newspaper published in such place, the advertisement shall be posted at least ten days before such sale in not less than six conspicuous places therein.~~ **Notice of such sale shall be given by publication once a week for two consecutive weeks in a newspaper published in the place where such sale is to be held and the sale shall not be held less than fifteen days from the time of the first publication, or by posting such notice at least ten days before said sale in not less than three conspicuous places therein. Such notice shall give the time and place of the sale and the nature of the personal property to be sold.**"

"Sec. 7. That original section 52-603, Compiled Statutes of Nebraska, 1929, is repealed."

2. Amend the title to the bill, line 7, by striking the word "and".

3. Amend the title to the bill, line 8, by striking the period and substituting a semicolon in lieu thereof, and adding:

"to amend section 52-603, Compiled Statutes of Nebraska, 1929; and to repeal the original section."

LEGISLATIVE BILL 426. Indefinitely postponed.

(Signed) Foster, Chairman

Enrollment and Review

LEGISLATIVE BILL 147. Correctly enrolled.

LEGISLATIVE BILL 425. Correctly enrolled.

(Signed) James H. Anderson, Chairman

Signed by Speaker

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill 147 Legislative Bill 425.

Recess

At 12:06 p.m. Mr. Mischke moved that the Legislature recess until 2:00 p.m.

The motion prevailed with 33 ayes, 1 nay, 9 not voting.

After Recess

The Legislature reconvened at 2:00 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Mr. Matzke, who was excused.

GENERAL FILE

LEGISLATIVE BILL 411. Laid over.

LEGISLATIVE BILL 204. Mr. Thompson withdrew his amendment to Section 11 of the Cullingham amendments, found in the Legislative Journal for the Sixty-ninth Day.

Mr. Thompson offered the following amendment, which was adopted:

Amend the last Cullingham amendment to L. B. 204, Sec. 11, line 24, by striking the period after the word "indebtedness" and inserting in lieu thereof a comma, and adding the following: "provided, that the only liens or incumbrances to which the property may remain subject after acquisition are those which are not callable for redemption under their terms at the time of acquisition."

Mr. Lee offered the following amendment, which was adopted:

That the words "or public" in line 15, Sec. 11 of the Cullingham amendment be stricken.

Mr. Cullingham offered the following amendment, which was adopted:

Amend the proposed section 11 of my amendment to L. B. 204 appearing on page 975 of the Legislative Journal, 56th Session, by adding to said proposed section at the end thereof the following: "This section shall not confer, and shall not be construed to confer, on the commission, power or authority to acquire electric utility property in the State of Nebraska outside of the metropolitan area, except such property as constitutes an integrated part of an electric plant or system the major part of which is embraced within a metropolitan city".

Section 11 of the Cullingham amendments, found in the Legislative Journal for the Sixty-seventh Day, as amended, was adopted.

Mr. Cullingham renewed his motion to adopt Section 10 of the Cullingham amendments.

The motion prevailed with 18 ayes, 8 nays, 17 not voting.

Section 12 was read and considered.

Mr. Weborg offered the following amendment, which was adopted:

Amend section 12, by adding after the punctuation following the word "effect" in the last line of the section, the following: "The Commission shall not acquire by purchase, condemnation or otherwise the electric properties of any public power district organized under the laws of this state, and shall not purchase, acquire, own or hold any notes, bonds or mortgages of any public power district or public power and irrigation district organized under sections 70-701 to 70-719, C. S. Supp., 1941."

Mr. Peterson offered the following amendments, which were adopted:

Strike from Section 12 the following: "the Commission shall furnish such current, but if such public power district, city or village and the Commission cannot agree upon the rate to be charged for such current, the matter shall be submitted to the Nebraska State Railway Commission which Commission, after proper notice and hearing, shall establish such rate and the rate so established shall be the rate to be paid and received for current so furnished" and substitute the following: "The Commission shall supply such cities and villages, incorporated rural electrification districts and public power districts within the area in which the Commission is authorized to serve and where the Commission has available trunk transmission lines for such supply at rates not in excess of the lowest rates at which the Commission sells current to any patron in the Metropolitan Area using an equal or lesser volume under similar operating conditions. If the parties fail to agree on the rate resulting from the application of said formula the issue shall be submitted to arbitration, each party appointing an arbitrator, and if they fail to agree, the two arbitrators so appointed shall select a third and the decision of two of the three shall be final. If the two arbitrators first chosen shall fail to agree on the choice of a third arbitrator, the third arbitrator shall be named by the Dean of the Engineering College of the University of Nebraska."

Section 12 of the Cullingham amendments, found in the Legislative Journal for the Sixty-seventh Day, as amended, was adopted.

Section 13 was read and considered.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 13 by inserting in line 4 after the word "property" the words "within the Metropolitan City".

Mr. Thompson offered an amendment, which was lost with 13 ayes, 16 nays, 14 not voting.

Mr. Cullingham moved that Section 13, as amended, be adopted.

Mr. Thompson moved a call of the House.

A call of the House was ordered.

Mr. Raecke moved to raise the call.

The motion prevailed with 24 ayes, 4 nays, 15 not voting.

The Cullingham motion prevailed with 17 ayes, 15 nays, 11 not voting.

Section 14 of the Cullingham amendments was read, considered and adopted.

Section 15 was read and considered.

Mr. Thompson offered the following amendment, which was adopted by unanimous consent:

Amend the last Cullingham amendment to Sec. 15 by striking "60-701" and inserting in lieu thereof "70-701".

Mr. Cullingham moved to strike all of the Peterson amendment of April 8, page 936 of the Journal, after the word "inclusive" and adopt section 15 of the Cullingham amendment.

The motion prevailed.

Mr. Peterson offered the following amendments:

Amend Legislative Bill 204, page 5, by inserting a new section immediately after section 5, reading as follows:

"Sec. 6. Any director, appointed by the Mayor of the Metropolitan City with the approval of the governing body of such city, may be removed from office by the qualified patron-electors in the Metropolitan City. Each person, firm or corporation, appearing on the books of the Commission as a current user of electric current within the Metropolitan City and to which statements of account for the cost thereof are sent in due course of business, shall constitute a patron-elector entitled to one vote. To initiate recall proceedings, a petition signed by such patron-electors, equal in number to at least fifteen per cent of the total number of patron-electors within the Metropolitan City, and demanding an election to determine whether a named director of the Commission shall be continued in office, shall be filed with the Election Commissioner of the county in which the Metropolitan City is located. Within twenty days from the date of filing such petition, the Election Commissioner shall examine it and, from a certified list of patron-electors, which shall be furnished by the Commission to the Election Commissioner whenever he so directs, ascertain whether or not said petition is signed by the requisite number of patron-electors within the Metropolitan City, and attach to the petition his certificate showing the result of such examination. If the requisite number of signatures are found, the Election Commissioner shall submit the original petition together with his certificate to the city council of the Metropolitan City. Said city council shall fix a day for recall election not less than thirty nor more than ninety days from the date of filing of said petition and certificate with the city council. The city council shall publish notice of such election in a newspaper of general circulation in the Metropolitan City in one issue within ten days after the date when said petition is filed with the city council. The Election Commissioner shall make all arrangements for the election, including the printing of ballots, the mailing of ballots, the acceptance of ballots returned, the counting of the ballots, the tabulations thereof and the certification of the results of election. The Election Commissioner shall make all rules and regulations, not inconsistent with this act, deemed necessary or appropriate to the proper conduct of the election.

The question presented on the ballot shall be:

Shall .... be continued in office as director of

Peoples Power Commission ....?" ☐ Yes

☐ No

After the ballots have been printed, one ballot, identified by the facsimile signature of the Election Commissioner, shall be mailed to each patron-elector in the Metropolitan City not less than five days before the date of election. With the ballot so mailed shall be enclosed, for the use of the patron-elector, an envelope addressed to the Election Commissioner with blank space for the customary return address of the patron-elector and a smaller envelope for the sealing of the ballot. The patron-elector desiring to vote shall mark his ballot, place it in the smaller envelope and seal the same, and shall thereupon enclose the sealed ballot in the self addressed envelope, writing the name and address of the patron-elector in the blank space provided for that purpose, and deposit the same in the mail with requisite postage attached. Upon receipt of the ballot in the mail, the Election Commissioner shall compare the name and address of the patron-elector on the outside envelope with his certified list of patron electors and, if they correspond, he shall deposit the unopened letter in a suitable container properly locked and protected. Ballots to be counted must be mailed before midnight of the day of election. On the second day after the date of election the letters shall be opened in the presence of a designated committee of the city council. The unopened inside envelopes shall all be deposited in a ballot box. Thereupon all ballots shall be removed from the box, opened, counted and tabulated. If a majority of the votes cast are in the negative the office of the incumbent shall be deemed vacant immediately upon the signing of the certificate by the Election Commissioner and a successor shall be selected in the manner provided for filling other vacancies. If a majority of the votes cast are in the affirmative the incumbent shall retain his office to the end of his term.

All expense of the recall election shall be paid by the Commission upon verified vouchers of the Election Commissioner.

Any person fraudulently casting a ballot and any person aiding or abetting the casting of a fraudulent ballot shall be guilty of a misdemeanor and upon conviction thereof shall be imprisoned in the county jail for not less than ten nor more than thirty days."

2. Amend succeeding section numbers of the bill to correspond to the change made by insertion of the new section 6.

Mr. Reavis offered the following amendment, which was adopted:

Amend the Peterson amendment to Section 6 by striking the period in line 75, insert a comma, add the following: "unless removed from office by a subsequent recall election as provided in this section".

The Peterson amendments, as amended, were adopted.

Mr. Osborne offered the following amendments, which were adopted:

1. Amend section 6 of the bill, line 1, by striking the word "The" and inserting in lieu thereof "each of the".

2. Amend section 6 of the bill, lines 3 and 4, by striking the words "for the faithful and impartial performance of their duties" and inserting the following in lieu thereof: "that he is not directly or indirectly interested in any privately owned public utility, nor in the bonds, stock, mortgages, securities, contracts or earnings of any such privately owned public utility, and that he will, to the best of his ability, faithfully and justly execute and enforce the duties devolving upon him.".

Sections 43 to 55 inclusive of the original bill were read and considered.

Mr. Peterson moved that the Committee on Enrollment and Review be requested to prepare a copy of the bill as amended and supply copies to the members; and that the bill retain its place on the File.

The motion prevailed. So ordered.

Member Excused

Mr. Rakow was excused until Tuesday morning.

Adjournment

Mr. Neubauer moved to adjourn until 8:00 a.m. Friday, April 16, 1943.

The motion was lost with 11 ayes, 13 nays, 19 not voting.

Mr. Foster moved to adjourn.

The motion was lost with 8 ayes, 22 nays, 13 not voting.

MOTION—To Amend Rules

Mr. President: I move to amend Section 5, Subdivision D of Rule 13 of the Rules of the Nebraska State Legislature, by striking the word "requests" in line 2 thereof and inserting in lieu thereof the word "desires", and by inserting after the word "bill" and punctuation "comma" in line 3 the words "he may move to do so by a motion to lay on the table, if such motion is adopted", and by striking the word "request" in the last line thereof and inserting in lieu thereof the word "motion"; and adding to said Subdivision the following: "provided a bill may at any time be laid on the table by unanimous consent retaining its place on General File".

(Signed) Peterson

Referred to Committee on Rules.

GENERAL FILE (Continued)

LEGISLATIVE BILL 416. Read and considered.

Mr. Conklin offered the following amendment, which was adopted:

Amend by changing the word "five" in line 4 to "six".

Mr. Tvrdik presiding

Mr. Gantz offered the following amendment:

Amend page 2 of the bill, section 1, line 5, by inserting the following punctuation and words following the word "accountants": ", one of whom may at his discretion be assigned exclusively to any county or counties in the state having a population of two hundred thousand or more inhabitants, but no such auditor shall be so assigned for a longer period than one year at a time".

Mr. Peterson moved to table the Gantz amendment.

The motion prevailed.

Referred to E and R for review.

Member Excused

Mr. Norman was excused for Friday afternoon.

Adjournment

At 5:40 p.m. on motion by Mr. Gutoski the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 16, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Doyle, and except Messrs. D. S. Anderson, Matzke and Rakow, who were excused.

The Journal for the Seventieth Day was approved as corrected.

Communications

A letter was read from Mrs. Katrina Johnson of Minden.

Petitions and Memorials

Mr. Thomas introduced a petition favoring the chemurgy program.

MOTION—To Suspend Rules

Mr. Dooley moved that the rules be suspended to permit the introduction of a bill relating to the Iowa-Nebraska boundary line.

The motion prevailed with 33 ayes, no nays, 10 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 438. By Dooley of Sarpy and Lee of Dodge.

A bill for an act to establish the boundary line between Iowa and Nebraska by agreement; to cede to Iowa and to relinquish jurisdiction over lands now in Nebraska but lying easterly of said boundary line and contiguous to lands in Iowa; to provide that the provisions of this act shall become effective upon the approval of and consent of the Congress of the United States of America to the compact effected by this act and House File 437 of the 1943 Session of the Iowa Legislature; to repeal Chapter 121, Session Laws of Nebraska, 1941; and to declare an emergency.

Mr. Dooley moved that the rules be suspended and L. B. 438 be referred at once.

The motion prevailed with 31 ayes, no nays, 12 not voting.

LEGISLATIVE BILL 438. Referred to Committee on Government.

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 221.

A bill for an act relating to purchases by the State of Nebraska, and all officers, departments, bureaus, boards, commissions, councils and institutions thereof receiving Legislative appropriations, except those expressly excepted from the provisions of this act; to define terms; to establish the office of Purchasing Agent; to provide for the appointment, qualification, tenure of office and salary and prescribe the powers and duties of such Purchasing Agent; to establish a Standards and Specifications Committee; to prescribe its powers and duties; to provide for the purchase of all materials, supplies, furniture, equipments, printing, stationery, automobile and road equipment and all other chattels, goods, wares and merchandise whatsoever, through the Purchasing Agent; to provide exceptions; to provide the manner of administration and carrying out of purchases by the state and agencies thereof; and to repeal sections 81-401 to 81-407, inclusive, Compiled Statutes of Nebraska, 1929.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 29:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Mischke
Mueller
Norman
Ogden
Peterson
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 7:

Carmody
Dooley
Mekota
Neubauer
Osborne
Raecke
Sorrell

Not voting, 7:

Anderson, D. S.
Craven
Doyle
Jeppesen
Matzke
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 411. Mr. Carmody renewed his motion to adopt his amendment, found in the Legislative Journal for the Seventieth Day.

A record vote was requested.

Voting in the affirmative, 17:

Asimus
Bowman
Carmody
Conklin
Craven
Foster
Gantz
Heiliger
Jeppesen
Klaver
Mekota
Neubauer
Osborne
Peterson
Sorrell
Thompson
Weborg

Voting in the negative, 14:

Anderson, James H.
Crosby
Crossland
Cullingham
Dooley
Garber
Greenamyre
Gutoski
Hanna
Lee
Mischke
Norman
Raecke
Tvrdik

Not voting, 12:

Anderson, D. S.
Brodahl
Burnham
Doyle
Hubka
Jeffords
Matzke
Mueller
Ogden
Rakow
Reavis
Thomas

The amendment was adopted.

MOTION—Interpretation of Rules.

Mr. President: I move that the action of the presiding officer directing the Clerk to announce the vote shall be regarded as the announcement of decision by the chair.

(Signed) Peterson.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Referred to the Commitee on Rules.

GENERAL FILE (Continued)

Mr. Mueller offered the following amendment:

Amend L. B. 411, Sec. 1, line 10, by striking "Hospital for Tuberculosis".

Mr. Hanna moved to strike the enacting clause.

The motion was lost with 13 ayes, 13 nays, 17 not voting.

After discussion of the Mueller motion, Mr. Sorrell moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 20 ayes, no nays, 23 not voting.

The Mueller amendment was adopted with 11 ayes, 10 nays, 22 not voting.

Mr. Greenamyre moved to indefinitely postpone.

The motion prevailed with 19 ayes, 12 nays, 12 not voting.

SPECIAL ORDER

Speaker Crosby Presiding

LEGISLATIVE BILL 317. Mr. Gantz offered an amendment as follows:

1. Amend page 2 of the bill, section 1, by striking all of lines 13 to 22, inclusive, and inserting the following in lieu thereof:

"if, during the biennium ending June 30, 1945, all of the outstanding issue of "Nebraska state fair grandstand bonds" is refunded at a rate of interest not to exceed three and one half per cent per annum, there is hereby appropriated out of the general fund of the State of Nebraska, not otherwise appropriated, an amount not in excess of fifteen thousand dollars, out of which appropriation there shall be paid to the Nebraska State Board of Agriculture whatever sum, not in excess of the appropriation herein made, as may be necessary to make up the insufficiency of the revenue from grandstand receipts to pay the interest on such refunding bonds issued by the Nebraska State Board of Agriculture, as above set forth; Provided, the amount thus paid by the state shall not exceed seven thousand five hundred dollars in any one fiscal year during the biennium, or the amount of interest due on the bonds in any one year whatever is the lesser amount".

Mr. Greenamyre moved to strike the enacting clause.

After discussion, Mr. James H. Anderson moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 25 ayes, no nays, 18 not voting.

Record vote on the Greenamyre motion was requested.

Voting in the affirmative, 20:

Anderson, James H.
Bowman
Brodahl
Crosby
Crossland
Cullingham
Dooley
Garber
Greenamyre
Gutoski
Hanna
Hubka
Lee
Mischke
Norman
Osborne
Raecke
Reavis
Thompson
Tvrdik

Voting in the negative, 18:

Asimus
Burnham
Foster
Gantz
Jeppesen
Mekota
Ogden
Peterson

Carmody
Conklin
Craven
Heiliger
Jeffords
Mueller
Neubauer
Sorrell
Thomas
Weborg

Not voting, 5:

Anderson, D. S.
Doyle
Klaver
Matzke
Rakow

The motion prevailed.

Recess

At 12:32 p.m. on motion by Mr. Mueller the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., Speaker Crosby presiding

The roll was called and all members were present except Messrs. D. S. Anderson, Dooley, Foster, Matzke, Norman and Rakow, who were excused.

NOTICE OF COMMITTEE HEARINGS

Labor and Public Welfare

Legislative Resolution 24, Monday, April 26, 1943, 1:30 p.m.

STANDING COMMITTEE REPORTS

Banking, Commerce and Insurance

LEGISLATIVE BILL 434. Placed on General File.

(Signed) Peterson, Chairman

GENERAL FILE

President Johnson Presiding

LEGISLATIVE BILL 251. Unanimous consent was granted to read the Standing Committee amendments, in place of the original bill. So ordered.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend the Standing Committee amendments by adding to Section 6 the following: Provided, that such rules and regulations shall never provide that the patron and renter shall not be permitted to process his own meat and other produce for storage in any such frozen food locker plant.

Standing Committee amendments, found in the Legislative Journal for the Fiftieth Day, were adopted as amended.

Referred to E and R for review.

Mr. Gantz Presiding

LEGISLATIVE BILL 350. Read and considered.

Standing Committee amendments, except numbers 8 and 9, found in the Legislative Journal for the Fiftieth Day, were adopted.

Mr. Jeppesen offered the following amendment, which was adopted with 11 ayes, 9 nays, 23 not voting:

1. Amend page 3 of the bill by inserting a new section, to be numbered 6, immediately before section 6, reading as follows:

"Sec. 6. That section 83-110, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

83-110. The ~~board~~ **Board of Control** shall be provided with suitable furnished offices in the capitol ~~building~~. ~~They~~ **It** may employ a secretary at a salary of ~~twenty-six hundred forty~~ **three thousand** dollars a year, to be paid monthly, and may also employ at reasonable salaries such other assistants as are needed for the proper conduct of the office. The board shall be furnished with all necessary office supplies. A complete record of each notice of appointment and other important papers shall be kept in the office of the board. The board shall prescribe a uniform system of records and accounts for all institutions under its control and shall provide all necessary books, blanks and other supplies for the making of reports and the keeping of accounts. It shall establish a uniform system of bookkeeping, so far as practicable, in similar institutions, and shall institute and require the keeping of a system of accounts and requisitions, showing the purchase, storage and consumption of supplies for subsistence, construction and other purposes. The board shall keep ~~each~~ at its office in Lincoln a complete set of books and accounts with each institution which shall show every contract made, every appropriation by the ~~legislature~~ **Legislature** for the support of each institution, receipts from all sources, and every expenditure made for any purpose. Said books and records shall at all times be open to ~~the~~ public inspection."

2. Amend page 3 of the bill, present section 6, line 2, by inserting after the word "sections" the following: "83-110,".

3. Amend the title to the bill, line 2, by inserting after the word "sections" the following: "83-110,".

4. Amend the title to the bill, line 5, by inserting after the word "officers" and before the punctuation the following: "and secretary to the Board of Control".

5. Amend the title to the bill, line 7, by inserting after the word "deputies" the words "and secretary".

And renumber present Sec. 6 to read Sec. 7.

Mr. Garber offered the following amendment:

Amend L. B. 350 to read: "Sec. 7. The provisions of this act shall expire January 1, 1945."

Laid over.

President Johnson Presiding

LEGISLATIVE BILL 417. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend Page 4, Section 4, line 2, by adding after the word Nebraska, "for 1929".

Referred to E and R for review.

LEGISLATIVE BILL 322. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fifty-second Day, was adopted.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 147. Presented to Governor for approval Friday, April 16, 1943, 4:00 p. m.

LEGISLATIVE BILL 425. Presented to Governor for approval Friday, April 16, 1943, 4:00 p. m.

LEGISLATIVE BILL 224. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 224

Legislative Resolutions 15, 16, 17

Invitation

A letter was read from R. L. Schacht extending an invitation to the members of the Legislature to attend the annual meeting of the Nebraska Engineering Society Saturday, April 17, 1943.

Adjournment

At 4:40 p.m., on motion by Mr. Carmody, the Legislature adjourned until Monday, April 19, 1943, at 10:00 a.m.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Monday, April 19, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Cullingham and Mr. Rakow, who were excused.

The Journal for the Seventy-first Day was approved.

PETITIONS AND MEMORIALS

A petition, addressed to all members, was introduced opposing L. B. 204.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 224.	Presented to Governor for approval Saturday, April 17, 1943 at 12:00 m.
LEGISLATIVE BILL 303.	Correctly engrossed.
LEGISLATIVE BILL 60.	Correctly engrossed.
LEGISLATIVE BILL 294.	Placed on Select File with amendments.

E and R amendments to L. B. 294:

1. Strike Section 1 in the bill, and all amendments thereto, and in lieu thereof, insert the following:

"Section 1. That section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, be amended to read as follows:

66-405. (1) Every dealer, who is now engaged or who may hereafter engage, in such dealer's own name, in the name of others or in the name of such dealer's representatives or agents in this state, in the sale, distribution and use of motor vehicle fuels, shall render and have on file with the Department of Agriculture and Inspection by the fifteenth day of each calendar month, beginning with the fifteenth day of the first month after this act shall become effective, on forms prescribed, prepared and furnished by said department, a sworn statement of the number of gallons of motor vehicle fuels, to be based on capacity of container, received or imported and unloaded and emptied or caused to be received or imported and unloaded and emptied by such dealer in the State of Nebraska, and the number of gallons of motor vehicle fuels produced, refined, manufactured, blended or compounded by such dealer within the State of Nebraska, during the preceding calendar month, defining the nature of such motor vehicle fuel ~~which~~ . **This** statement shall be sworn to by a **person who is a** resident of the State of Nebraska~~,~~ ~~who is~~ **and** a principal officer, general agent, managing agent, attorney-in-fact, chief accountant or owner. Such sworn statement shall be entitled to be received in evidence in all courts of this state and shall be prima facie evidence of the facts therein stated.

(2) In addition to the tax now provided for by law, each dealer shall, at the time said statement is filed, pay a tax of five cents per gallon upon all motor vehicle fuels, as shown by such statement, remitting said tax to said Department of Agriculture and Inspection, which shall receipt the dealer therefor and each day pay to the State Treasurer all of the money, drafts, checks, postoffice money orders, express money orders or other mediums of exchange thus received. **Dealers or other persons having paid said tax, or being liable for its payment, shall collect the amount thereof from any person, firm or corporation to whom said motor vehicle fuel is sold in this state along with the selling price thereof.**

(3) The Department of Agriculture and Inspection shall have authority to adjust all errors in making payments, to authorize a refund of tax paid on motor vehicle fuel destroyed by fire or act of God or used and consumed by the United States government or its agencies, to authorize a refund equal to the per gallon tax imposed by this state on sales of motor vehicle fuels purchased by dealers in this state, on

which tax was paid in this state but such motor vehicle fuels were sold in a state other than Nebraska and to issue vouchers therefor; Provided, such dealers shall be entitled to a shrinkage of three per cent of the number of gallons, to be based on capacity of container, of motor vehicle fuels received or imported, produced, refined, manufactured, blended or compounded by such dealer, as shown by such report, at the point where the car or container comes to rest or is unloaded within the State of Nebraska.

(4) If any such dealer neglects or refuses to file the return due for any month or to pay the tax herein provided, due for any month, within the time prescribed for the filing of such return or the payment of such tax, as above provided, there shall automatically accrue a penalty equal to one half of one cent on each gallon of motor vehicle fuel received or imported, and unloaded and emptied, produced, refined, manufactured, blended or compounded during the time for which such dealer failed, neglected or refused to file the return or pay such tax, the amount of which penalty shall in no case be less than twenty-five dollars. If no motor vehicle fuel was received or imported and unloaded and emptied, produced, refined, manufactured, blended or compounded, a penalty of twenty-five dollars shall be assessed against such dealer for failure to make a return setting forth such fact.

(5) No tax shall be collected from any person, firm or corporation bringing motor vehicle fuel into the state by barge or pipe line, or refining motor vehicle fuel in this state, unless or until said motor vehicle fuel is used at or shipped from the barge line or pipe line terminal of said barge line, or pipe line, or refinery, for consumption within the State of Nebraska, as the case may be. When such motor vehicle fuel is sold or delivered to a licensed dealer in this state, such dealer shall be considered the importer thereof and the tax shall be paid by such dealer. Such person, firm or corporation, owning and operating such refinery, barge line terminal or pipe line terminal, shall furnish a cash deposit or surety bond in the sum of fifty thousand dollars, executed by a surety company duly licensed and authorized to do business in the State of Nebraska, for each such refiner, barge line terminal or pipe line terminal within the State of Nebraska, said bond running to the State of Nebraska and conditioned for the faithful performance of all obligations to the State of Nebraska imposed by law upon said person, firm or corporation. Such person, firm or corporation shall make and file such verified reports of operations within said state as shall be required by the Department of Agriculture and Inspection of the State of Nebraska."

2. Strike sections 2 and 3 of the bill, with all amendments thereto, and in lieu thereof insert the following:

"Sec. 2. That section 66-417, C. S. Supp., 1941, be amended to read as follows:

66-417. Every person, firm, corporation or association using motor vehicle fuels subject to taxation on the use thereof under the provisions of ~~this Act, (66-416 to 66-420)~~ **sections 66-416 to 66-419, inclusive, C. S. Supp., 1941, as amended by this act,** shall pay said excise tax and make ~~report~~ **reports** concerning the same to the State Treasurer in like manner, form~~,~~ and time as is required by ~~Article 1, Chapter 66, Compiled Statutes for 1929,~~ **section 66-405, C. S. Supp., 1941, as amended by this act,** for dealers in motor vehicle fuels. No such payment of tax or report shall be required, however, if, with the knowledge and consent or at the request of the user of such motor vehicle fuels, such tax shall have been paid and report made for said user by any dealer licensed under the provisions of ~~said Article 1, Chapter 66.~~ **section 66-403, C. S. Supp., 1941. Dealers or other persons having paid said tax, or being liable for its payment, shall collect the amount thereof from any person, firm or corporation to whom said motor vehicle fuel is sold in this state along with the selling price thereof.**

Sec. 3. That original section 66-417, C. S. Supp., 1941, and section 2 of said original legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, are repealed."

3. In the bill, title, page 1, strike all of the 2nd line after the word "amend" and all of the 3rd line prior to the word "relating", and in lieu thereof, insert: "section 66-417, C. S. Supp., 1941, and section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943," ; 8th line, after the word "person" insert: ", firm or corporation" ; 10th line, strike: "original sections" and in lieu thereof, insert: "said original section and section 2 of said original legislative bill" .

LEGISLATIVE BILL 410. Placed on Select File with amendments.

E and R amendments to L. B. 410:

1. Amend Legislature amendment by Mr. Greenamyre, 3rd line, by striking "line 14" and in lieu thereof, insert: "lines 14 and 15" .

2. Amend legislature amendments Nos. 1 and 2, by Mr. Mekota, 1st line, by striking the figure "4" and inserting in lieu thereof, the figure "3", and in said amendment No. 1, 3rd line of the inserted matter, after the word "envelope", insert a comma.

3. In the bill, Section 1, page 2, strike all of lines 2 and 3 and in lieu thereof, insert: "set aside, in the office of such Purchasing

Agent or in other quarters to be provided therefor, space for a central mailing room, install"; strike the comma at the end of line 5 and the words "and shall" at the beginning of line 6, and in lieu thereof insert the word "and".

4. In the bill, pages 2 and 3, strike the word "state" in the following places: Section 2, line 2, before "department"; line 3, before "agency"; line 8, before "departments"; line 9, before "agencies"; section 3, line 3, before "department"; line 4, before "agency"; line 5, before "agency"; section 4, line 3, before "agency"; line 10, before "department"; line 11, before "agency"; line 13, before "department"; line 14, before "agency"; line 19, before "department".

5. In the bill, section 2, page 2, insert a comma at the end of line 3, after "agency"; line 5, strike the comma after "Nebraska"; line 7, strike the word "the" before "mailing" and in lieu thereof insert: "such central", strike the comma after "room"; strike: "; and" at the end of line 7, and the word "all" at the beginning of line 8, and in lieu thereof, insert: ". All"; insert a comma at the end of line 9, after "agencies", in line 10, after "building" and line 11, after "possible"; line 11, after "as" and before "possible", insert: "may be".

6. In the bill, section 3, page 2, line 4, strike: ", charging such" and in lieu thereof, insert: "and charge such state"; strike all of line 6 after "postage" and in lieu thereof, insert: "so used.".

7. In the bill, section 4, pages 2 and 3, line 2, strike: "official, state" and in lieu thereof, insert: "officer,"; insert a comma in line 3 after "agency" and line 5, after "thereto"; line 4, strike: "in Lincoln, or in" and in lieu thereof, insert "or"; line 7, strike "the" before "postage" and in lieu thereof, insert: "his, her or its"; line 8, strike: "August 1, 1943, and on"; line 9, strike "thereafter" and in lieu thereof, insert: ", commencing August 1, 1943"; line 16, strike: ", and if the original advance" and in lieu thereof, insert: ". If the original amount advanced"; lines 20 and 21, strike: "state agency so effected." and in lieu thereof insert: "agency.".

8. In the bill, section 7, page 3, line 4, insert a comma after "cents"; line 7, after "purchase" insert: "and installation"; strike all of line 8 after the word "equipment" and in lieu thereof insert a semicolon; strike the comma at the end of line 7; line 9, strike the word "and" before "fifty".

9. In the bill, section 9, formerly section 8, page 3, line 3, insert a comma after "Nebraska".

10. In the bill, title, page 1, 3rd line, strike the word "office" and in lieu thereof insert the word "room"; 4th line, strike the word "state" before "department"; 5th line, strike the word "other" before "state"; 6th line, after "agency" insert: ", occupying quarters"; 7th line, strike the comma after "Nebraska"; 10th line, before "mailing" insert: "such central"; at the end of the 11th line, after "office", insert: ", when"; 12th line, insert a comma after "building"; 13th line, after "as" and before "possible" insert: "may be"; 14th and 15th lines, strike: "management and" and in lieu thereof, insert: "the location and management thereof and the"; 15th line, strike: "providing funds for" and in lieu thereof, insert: "to provide how the funds for the"; 16th line, after "postage" insert: "shall be advanced and handled", and after the word "for" and before "appropriation" insert the word "the"; 18th line, after "that" insert the word "the"; 19th line, strike all of said line after "regulations" and in lieu thereof, insert: "as may be deemed necessary for the administration of".

11. In the bill, page 4, section 9, line 1, strike the figure "9" and in lieu thereof insert the following: "10".

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 26. Management, Nebraska State Fair.

Introduced by Fred A. Mueller of Buffalo

WHEREAS, it has developed, through the debate on Legislative Bill 317, that it might be desirable for the State of Nebraska to take over the operation and management of the state fair;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That after the adjournment of this session of the Legislature, the Legislative Council is directed to make a study and investigation of the advisability of the State of Nebraska taking over, operating and managing the state fair, and if it is recommended that this be done, to study, investigate and advise the course of action to carry same out, particularly with reference to the matters of selection of a board or other body to manage such fair, and the payment of outstanding Nebraska state fair grandstand bonds.

2. That the Legislative Council report the results of its investigation and study to the next regular session of the Legislature.

Speaker Crosby Presiding

MOTION—Not to Concur in Report

Mr. President: I move that the Legislature do not concur in the committee report on L. B. 407 and that it be placed on General File.

(Signed) Matzke

The motion prevailed with 27 ayes, 1 nay, 15 not voting.

President Johnson Presiding

MOTION—To Suspend Rules and Place on General File

Mr. President: I move that the rules be suspended requiring a public hearing of a bill, and that L. B. 438 be placed on General File.

(Signed) Doyle

The motion prevailed with 37 ayes, no nays, 6 not voting.

MOTION—To Suspend Rules for Introduction of a Bill

Mr. President: I move that the rules be suspended and that L. B. 439 be introduced.

(Signed) Greenamyre

The motion prevailed with 36 ayes, no nays, 7 not voting.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 439. By H. G. Greenamyre of Madison.

A bill for an act to provide for the payment of compensation of officers and employees of the Legislature, traveling expenses of members, the payments to be made for supplies and other incidental expenses incurred during the Fifty-sixth Session of the Nebraska Legislature, during the biennium ending June 30, 1943, and for the ad interim activities of said Legislature during the biennium ending June 30, 1945; to appropriate the sum of fifteen thousand dollars therefor in addition to the amount appropriated by Legislative Bill 51, Fifty-sixth Session of the Nebraska Legislature; and to declare an emergency.

MOTION—To Suspend Rules and Place on General File.

Mr. President: I move that the rules be suspended and that L. B. 439 be placed on General File.

(Signed) Greenamyre

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 412. With emergency clause.

A bill for an act to appropriate the sum of $32,117.64 for the support of the Military Department of the State of Nebraska, including the Nebraska State Guard, as an emergency appropriation for the remainder of the current biennium ending June 30, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Mr. Greenamyre moved a call of the House.

A call of the House was ordered.

Mr. Greenamyre moved that the call be raised.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Voting in the affirmative, (L. B. 412), 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 9:

Carmody
Craven
Doyle
Hanna
Jeffords
Mekota
Neubauer
Osborne
Weborg

Not voting, 4:

Asimus
Burnham
Cullingham
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 403.

A bill for an act to repeal sections 66-601 and 66-602, C. S. Supp., 1941, providing specifications with respect to signs and placards indicating the sale price of motor vehicle fuels and penalties for violation.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Asimus
Cullingham
Jeppesen
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 316.

A bill for an act to amend section 80-301, C. S. Supp., 1941, relating to soldiers and sailors; to provide that the privileges of the Nebraska Soldiers' and Sailors' Home be extended to include veterans and certain dependents of the veterans of World War II; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Asimus
Cullingham
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 267. With emergency clause.

A bill for an act to provide for the transfer of land appearing, of record, to be a part of a certain numbered school district, but entirely separated from the body thereof by territory of another district or districts, to an adjoining district; to provide a method and procedure therefor; to provide where such land shall thereafter be taxed for school purposes; and declaring an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Cullingham
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 266.

A bill for an act to amend section 79-1609, C. S. Supp., 1941, relating to apportionment of funds in the treasury applicable to the support of the schools; to provide that in the making of the apportionment, the State Treasurer shall distribute, to any and all counties in which there are saline lands owned by the state, an additional amount sufficient to equal the money that would be raised by taxation upon the state saline lands, were such land subject to taxation; providing certain procedure in regard thereto; providing for an appeal to the Board of Educational Lands and Funds by the board of a school district, as to the appraised value of such saline and other designated lands; providing for the procedure upon such an appeal; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Dooley
Doyle
Jeffords
Jeppesen
Ogden
Osborne

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Cullingham
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 172.

A bill for an act to amend sections 32-1118, 32-1119 and 32-1121, Compiled Statutes of Nebraska, 1929, relating to primary elections; to eliminate therefrom the provisions for the nomination and election of members of the national committees of the several parties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Neubauer.

Not voting, 4:

Craven
Crosby
Cullingham
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 19. With emergency clause.

A bill for an act relating to federal grants of funds and federal grants and loans of equipment, supplies, materials and other property for war and defense purposes; authorizing the acceptance thereof by the state or any political subdivision or agency thereof; providing for the administration of the same; providing for certain powers, authorities and limitations in regard thereto; providing that this act shall be liberally construed; providing a saving clause; providing that this act shall expire by its own limitation on March 1, 1945; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Cullingham
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 265. With emergency clause.

A bill for an act to amend sections 72-235 and 72-236, C. S. Supp., 1941, relating to school lands; to provide which lands may be sold; to provide for the manner and method of sale of such lands; to provide for an action in partition of undivided interests in realty; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Craven
Cullingham
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

GENERAL FILE

LEGISLATIVE BILL 350. Mr. Garber asked unanimous consent to withdraw his amendment, found in the Legislative Journal for the Seventy-first Day.

No objection was offered. So ordered.

Mr. Craven offered the following amendment, which was adopted:

1. Amend page 3 of the bill, by adding after section 5, a new section reading as follows:

"Sec. 6. That section 75-102, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

75-102. Immediately after the members of the commission have taken the oath of office herein prescribed, they shall meet at Lincoln, Nebraska, and organize by electing one of their members chairman, and appoint a secretary at a salary of not more than ~~twenty-six~~ **three thousand** dollars per annum, except as otherwise provided, who shall take the same oath as the commissioners; and any person ineligible to the office of commissioner shall be ineligible to the office of secretary of such commission. The commission may also appoint clerks, at least one of such clerks to be an expert stenographer and typist, and such other persons as experts as may be necessary to perform any duty that may be required of them by this ~~article~~ **act.** The secretary shall keep full and correct minutes of all transactions and proceedings of the commission, and it shall be his duty, upon request and being paid the lawful fees therefor, to furnish a transcript, duly authenticated by such commission, of any record or records of the commission made on any hearing of any kind, and perform such duties as may be required by the commission. The secretary shall charge such fees for furnishing a transcript as are allowed by law on appeal from the district court to the ~~supreme court~~ **Supreme Court** of this state, and shall turn such fees into the general fund provided for the expenses of the commission. The commission shall have power to make all needful rules and regulations for the government of their proceedings. They shall be known collectively as the ~~"Nebraska state railway commission"~~, **"State Railway Commission"**, and shall have a seal, similar to the seal of this state, with the words "Railway ~~commission~~ **Commission** of Nebraska", engraved thereon. They shall be furnished with an office in the capitol at Lincoln, Nebraska, and with necessary furniture, stationery and supplies."

2. Amend page 3 of the bill, present section 6, line 1, by changing the section number from "6" to "7".

3. Amend page 3 of the bill, present section 6, line 2, by striking the words "and" and inserting before the punctuation following the figures "79-1611" the following: "and 75-102".

4. Amend the title, line 2, by striking the word "and" and inserting before the punctuation following the figures "79-1611" the following: "and 75-102".

5. Amend the title, line 4, inserting after the word "officers" and before the punctuation the following: "and secretary to the Nebraska Railway Commission".

6. Amend the title to the bill, line 6, by inserting after the word "deputies" the words "and secretary".

Mr. Mueller moved to postpone indefinitely.

The motion was lost with 14 ayes, 15 nays, 14 not voting.

Mr. Greenamyre offered an amendment which was lost with 6 ayes, 17 nays, 20 not voting.

Mr. Matzke offered the following amendments, which were adopted: with 20 ayes, 13 nays, 20 not voting:

Amend by striking all of Sec. 5.

Amend Sec. 6 by striking "and 79-1611" and insert "and" between "84-507" and "84-608".

Amend title to conform.

Recess

At 12:00 m. on motion by Mr. Osborne the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Cullingham and Mr. Rakow, who were excused.

Approved by the Governor

April 16, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 147

L. B. 425

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL 350. Mr. Garber offered the following amendment, which was adopted with 14 ayes, 11 nays, 18 not voting:

That the bill be amended to read: Sec. 7. The increases in salaries provided in this act shall expire January 1, 1945.

Mr. Weborg moved to strike the enacting clause.

Mr. Doyle moved a call of the House.

A call of the House was ordered.

Mr. Foster moved to raise the call.

The motion prevailed with 21 ayes, 6 nays, 16 not voting.

Record vote on the Weborg motion was requested.

Voting in the affirmative, 19:

Bowman
Brodahl
Burnham
Carmody
Craven
Foster
Garber
Gutoski
Heiliger
Jeffords
Jeppesen
Lee
Mekota
Mueller
Neubauer
Osborne
Raecke
Thomas
Weborg

Voting in the negative, 16:

Anderson, James H.
Conklin
Crosby
Doyle
Gantz
Greenamyre
Hanna
Hubka
Klaver
Matzke
Mischke
Ogden
Peterson
Sorrell
Thompson
Tvrdik

Not voting, 8:

Anderson, D. S.
Asimus
Crossland
Cullingham
Dooley
Norman
Rakow
Reavis

The motion prevailed.

LEGISLATIVE BILL 336.

Mr. Mischke moved to suspend the rules, that the Clerk dispense with reading the original bill and the Standing Committee Amendments, and that Mr. Hubka's amendments be read instead.

Mr. Foster moved to refer the bill with the Hubka amendments to the standing committee for further hearing.

The Foster motion was lost.

The Mischke motion prevailed with 31 ayes, 2 nays, 10 not voting.

The Hubka amendments were read and considered, as follows:

1. Strike all Standing Committee amendments, and all of the bill after the enacting clause, and substitute the following in lieu thereof:

"Section 1. As used in this act: (1) The term "private business school" shall mean and include a school or college, not supported by moneys raised by taxation, which gives instruction primarily in commercial subjects, such as typewriting, shorthand, bookkeeping, commercial law, business English, penmanship, salesmanship and allied subjects, except schools operated as a part of a university or college conferring degrees after completion of a four-year course of study, and except schools operated by any established religious denomination or body;

(2) The term "private trade school" shall mean and include a school or college, not supported by moneys raised by taxation, devoted to the teaching of or offering to teach, or giving instruction in the theory and practice of any trade or trades, or in any pursuit requiring manual or mechanical training or dexterity, as distinguished from one teaching classical or cultural subjects, or preparing students for office work or for the learned professions;

(3) The term "private correspondence school" shall mean and include any school, business school, college, academy, university or other institution, not supported by moneys raised by taxation, that teaches or

undertakes to teach students, or renders any educational services or undertakes to prepare such students to study, or furnishes or undertakes to furnish to any person, a course of study through the use of the United States mail, express, or common carrier, or by any means of communication other than resident instruction; and

(4) The term "solicitor" or "representative" shall mean and include any person who sells, undertakes to sell, or offers to sell scholarships, courses of instruction or instruction materials, or who solicits students or pupils for schools, by calling upon them in their homes or places of business, or at any place not on the premises of the school itself, but shall not include the president, secretary, or other executive officer of a school who may incidentally solicit students or pupils in connection with his other duties.

Sec. 2. No person, partnership, association, or corporation shall operate or maintain a "private business school," "private trade school," or "private correspondence school," in this state, or be a solicitor or a representative of a private business, trade or correspondence school that transacts business in the State of Nebraska unless he is so licensed by the Superintendent of Public Instruction; Provided, however, that any part of the program of any school that has met the qualifications of or has been approved, ratified, or certified by the Civil Aeronautics Administration shall be exempt from the provisions of this act.

Sec. 3. Every person, partnership, association, or corporation desiring a license from the Superintendent of Public Instruction to conduct a private business, trade or correspondence school in this state, or to be a solicitor or a representative of a private business, trade or correspondence school, that transacts business in the State of Nebraska, shall apply for a state license, upon blanks prepared and furnished by the Superintendent of Public Instruction, which shall be signed and verified under oath by the applicant, or if by a partnership, association, or corporation by the officers thereof, and shall state:

(1) The name of the school and its precise location, or proposed location;

(2) The nature, extent and purpose of each course of instruction to be given;

(3) The fees to be charged for such courses, and the conditions under which the fees are to be paid;

(4) The general plan or method of giving such instructions, including the correction of papers and the form and nature of assistance to

be given students taking such courses, and such other information relative to courses of instruction as may be required by the Superintendent of Public Instruction;

(5) The equipment and facilities possessed by the school to teach and demonstrate the various subjects offered to be taught as a part of the course of education;

(6) The credential or certificate to be issued to students upon completion of courses of instruction, a copy of which shall be attached to the application;

(7) The amount of practical shop instruction, and the amount of class room and text book instruction;

(8) The hours taught a day or evening;

(9) The nature of books and supplies to be furnished; and

(10) Such other information as may be specified in general rules promulgated by the Superintendent of Public Instruction deemed fundamentally necessary as a minimum requirement to the proper conduct of any legitimate school of the type seeking a license.

Upon any such school complying with the above requirements, it shall be entitled to a license. Every school shall be inspected annually by the Superintendent of Public Instruction to ascertain if the above requirements are being adhered to and maintained.

Sec. 4. Each school so licensed shall pay a license fee to the Superintendent of Public Instruction in the sum of twenty-five dollars for the original license, and fifteen dollars per year thereafter for each annual renewal of such license. Each solicitor or representative of a private business, trade or correspondence school that transacts business in this state shall pay a license fee to the Superintendent of Public Instruction in the sum of ten dollars for the original license, and five dollars per year thereafter for each annual renewal of such license.

Sec. 5. Any school which has been licensed by the Superintendent of Public Instruction:

(1) May advertise under a registered name only. The name of the owner or owners of the school must be on file in the office of the Superintendent of Public Instruction. In case a school is owned by a corporation, the name of the officers of the corporation must be on file in said office, and any change in the officers of such corporation

shall be filed with such office within five days. When a school is owned by partnership, or association, the names of the partnership, or members of the association, shall also be filed with the Superintendent of Public Instruction, and shall file with such office within five days any change in personnel of the partnership or association. The name of the local director or manager shall be on file with the Superintendent of Public Instruction at all times;

(2) Shall not use in its name or title any reference to the state, municipality, township, or other governmental subdivision or unit within the state; Provided, these restrictions shall not apply to any school established at the time of the adoption of this act;

(3) Shall not solicit students in the "Help Wanted," or other employment columns in newspapers or other publications, nor shall the school solicit through "blind" advertisements;

(4) Shall file with the Superintendent of Public Instruction a copy of all catalogs, folders, circulars of courses, student receipt blanks, enrollment or application blanks, letterheads, form letters or advertising now used, or hereafter to be used, at the time of distribution of the same;

(5) Shall not permit any individual, representative of an individual, corporation, association, or partnership to solicit for students without first having obtained a license for such person, corporation, partnership, or association;

(6) Shall not advertise that it is licensed by the Superintendent of Public Instruction.

No individual, or a representative of an individual, corporation, or partnership shall be permitted to solicit for students for any such school which has been licensed by the Superintendent of Public Instruction until first having obtained a license for such purpose from the Superintendent of Public Instruction.

Sec. 6. The power to suspend and revoke licenses under this act, and to inspect schools licensed hereunder, shall be vested in the Superintendent of Public Instruction, who may, upon five days notice in writing to the licensee and after public hearing, suspend or revoke any license granted under this act.

Sec. 7. All fees collected by the Superintendent of Public Instruction through the issuance of licenses of such private business, trade or correspondence schools, or solicitors or representatives of a private business, trade or correspondence school, shall be paid into the state treasury and, by the State Treasurer, shall be credited to the "private business, trade and correspondence school fund," which fund shall be used by the Superintendent of Public Instruction in carrying out the provisions of this act.

Sec. 8. That schools subject to the terms of this act now operating under charters, licenses or permits secured from the State of Nebraska or the United States government shall be allowed to continue to operate in this state under such charters, licenses or permits until June 30, 1944, by which time they shall be required to secure licenses under this act.

Sec. 9. Any person, firm, partnership or association that violates the provisions of section 2 of this act, or any solicitor or representative of any school licensed under this act that violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than ten nor more than one hundred dollars, or be imprisoned in the county jail not less than ten days nor more than thirty days, or may be punished by both fine and imprisonment within the limits above set forth.

Sec. 10. For any willful violation of any of the provisions of this act by any licensee, the Superintendent of Public Instruction shall revoke the license of such private business, trade or correspondence school, or the license of such solicitor or representative of such private business, trade or correspondence school."

2. Strike all of the title after the word "act" in line 2 and substitute the following in lieu thereof:

"relating to schools; to define terms; to provide that no person shall operate or maintain a private business, trade or correspondence school, or be a solicitor or representative of a private business, trade or correspondence school in the State of Nebraska unless licensed by Superintendent of Public Instruction to do so; to provide for application for license and what it shall contain; to provide for license fee; to provide for regulation of advertisements; to provide that license fees arising under this act shall be credited to a separate fund and used by the Superintendent of Public Instruction in administering this act; and to provide penalties."

Member Excused

At 3:00 p.m., Mr. Weborg was excused.

GENERAL FILE (Continued)

Mr. Gantz offered the following amendments, which were adopted:

Amend the bill as amended page 1, section 1, by striking the punctuation ";" after the word "body" in line 10 of said section and by inserting in lieu thereof the following: ", and except resident business colleges or schools now operating and having been in operation for five years or more prior to the passage of this act;".

Mr. Hubka offered the following amendments, which were adopted:

1. Amend page 6 of the bill, by adding a new paragraph numbered 11, reading as follows:

"Sec. 11. If any section, sentence, clause, phrase or requirement of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions thereof."

2. Amend the title, by inserting after the punctuation following the word "act" in the last line of the title, as amended, the following:

"to state a validity clause;".

Mr. Hubka moved to adopt his amendments as amended.

The motion prevailed.

Mr. Hubka moved to refer to E and R for review.

Mr. Neubauer moved to indefinitely postpone.

The motion prevailed with 20 ayes, 14 nays, 9 not voting.

The bill was indefinitely postponed.

Adjournment

At 4:03 p.m., on motion by Mr. Mischke, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, April 20, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Seventy-second Day was approved.

Petitions and Memorials

Mr. Crosby introduced a petition regarding appropriations for blind assistance.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 251. Placed on Select File with amendments.

E and R amendments to L. B. 251:

1. Amend Standing Committee amendment adopted April 16, as follows:

Section 1, page 1, insert a comma before the word "as" in the 2nd line and after "act" in the third line; strike the comma after "more" in the 5th line and after "compartments" in the 6th line; insert a comma after "act" in the 7th line, also at the end of the 6th line after "foods", and in the 8th line before "as" and also after "act"; 9th line, strike: "The", and in lieu thereof insert the word "the"; strike the quotation mark at the end of said section.

2. Section 2, page 1, insert a comma after "space" in the 2nd line, and after "spaces" in the 5th line; strike the word "and" before "any", in the 3rd line, and in lieu thereof insert a comma; strike the comma after "compartment" in the 4th line; strike the word "and" before "used" in the 5th line, and in lieu thereof insert a comma.

3. Section 3, page 1, insert a comma after "association" in the 1st line, after "plant" in the 2nd line; 3rd line, after "operate" and before "a" insert the word "such"; 4th line, after "for such" insert the word "a"; 6th line, strike the semicolon after "desired" and in lieu thereof insert a comma; strike the semicolon at the end of the 6th line, after "compartments" and in lieu thereof insert the word "and"; 9th line, strike: ", with an additional" and in lieu thereof insert the word "and" and after the word "annum" insert the word "additional".

4. Section 4, page 2, 2nd line, strike: "any lockers or compartments or spaces" and in lieu thereof, insert: "each locker, compartment or space"; 3rd line, after "of" and before "locker" insert the word "the" and strike the comma after "rental" and in lieu thereof, insert: "thereon and any"; 4th line, after "giving" insert the word "a"; insert a comma in the 5th line, after "and", at the end of the 6th line, after "locker", in the 7th line after "sale"; 8th line, strike the word "exceed" and in lieu thereof insert the word "exceeds"; 9th line, strike the comma after "time".

5. Section 5, page 2, insert a comma after "department" in the 1st line, also at the end of said line after "employees" and strike the comma after "agents"; 3rd line, strike the word "or" after "annually" and in lieu thereof insert the word "and".

6. Section 6, page 2, insert a comma in the 2nd line after "regulations" and also after "act"; 5th line, strike "pure-food" and in lieu thereof insert: "pure food" and strike the period at the end of said line and in lieu thereof insert a semicolon.

7. Section 7, page 2, 1st line, strike the comma after "Director", and in said line strike the word "his" and in lieu thereof, insert: "such officer's"; 3rd line, after "all" and before "provisions" insert "the"; 2nd line, insert a comma after "employees".

8. Section 8, page 2, 2nd line, after "Agriculture" insert: "and Inspection"; 4th line, strike "or" before "imprisonment" and in lieu

thereof insert a comma; 5th line, strike the comma after "jail" and after the word "both" strike the semicolon and in lieu thereof, insert: "such a fine and imprisonment;" ; 7th line, strike the word "penalties" and in lieu thereof, insert: "fine, imprisonment or fine and imprisonment".

9. In the legislature amendment by Mr. Greenamyre, adopted April 16, 2nd line, after "his" and before "own", insert: ", her, its or their".

10. In the bill, title, page 1, 7th line, after "for" and before "reports" insert: "inspections and", and in said line, after the semicolon and before the word "and", insert:

"to confer certain powers and duties upon the Department of Agriculture and Inspection and its director and designated employes; to provide that the provisions of this act shall not be construed to amend, repeal or affect any provisions of law relating to cold storage;".

LEGISLATIVE BILL 368. Replaced on Select File with amendments.

E and R amendments to L. B. 368:

1. In legislature amendment No. 6 by Mr. Peterson, adopted April 9, strike "and 7" in the 2nd line, and in lieu thereof insert: "7 and 8".

2. Strike both legislature amendments by Mr. Reavis (same being covered by Mr. Peterson's amendments adopted April 9th).

3. In the title, 12th and 13th lines, strike: "and be forever barred upon real estate" and in lieu thereof, insert: "upon the property".

LEGISLATIVE BILL 322. Placed on Select File with amendments.

E and R amendments to L. B. 322:

1. Strike the Standing Committee amendment and in lieu thereof, in the bill, Section 1, page 2, line 6, strike: "**thirty-three** hundred ~~fifty~~ dollars," and insert, in lieu thereof: "~~hundred fifty~~ **three thousand** dollars~~,~~".

2. In the bill, Section 1, page 2, line 4, strike: "shall hold his" and in lieu thereof, insert: "~~shall~~ hold ~~his~~ **such**"; line 5, strike the comma after "judge" and in lieu thereof insert "~~,~~"; strike all of line 7 after

the word "state" and in lieu thereof, insert: "in the same manner as the salary salaries of other state officers is are paid.".

3. In the bill, title, page 1, strike the word "court" at the end of the 3rd line; 4th line, strike: "; to provide for salaries;" and in lieu thereof, insert: "of the district courts; to fix the salaries of such reporters;".

LEGISLATIVE BILL 416. Placed on Select File with amendments.

E and R amendments to L. B. 416:

1. In the bill, title, page 1, line 3, strike the comma at the end of the line, after "accounts"; 9th line, strike the word "to" after "assistant" and in lieu thereof insert the word "for".

LEGISLATIVE BILL 166. Correctly engrossed.

Correctly Enrolled

L. B. 221
L. B. 266
L. B. 265
L. B. 172
L. B. 19
L. B. 267
L. B. 412
L. B. 403
L. B. 316

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 221
L. B. 266
L. B. 265
L. B. 172
L. B. 19
L. B. 267
L. B. 412
L. B. 403
L. B. 316

RESOLUTIONS

Speaker Crosby Presiding

LEGISLATIVE RESOLUTION 26. Management, Nebraska State Fair

Mr. Mueller moved to suspend the rules and consider the resolution at once.

The motion was lost with 6 ayes, 9 nays, 28 not voting.

The Resolution was referred to the Committee on Agriculture.

President Johnson Presiding

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 100.

A bill for an act relating to real estate brokers and salesmen; defining terms; creating the State Real Estate Commission, providing for the appointment, terms and qualifications of the members thereof; providing its organization, procedure, powers, duties, seal, employees and office; providing the powers, duties and salaries of certain officers and employees; requiring real estate brokers and salesmen to secure a license from the commission; providing the method and procedure for the obtaining of such licenses and the display and custody thereof; providing for the issuance of certain pocket cards by the commission to such brokers and salesmen and the use thereof; regulating the conduct of business by such real estate brokers and salesmen; prohibiting certain acts as unfair trade practices and providing for complaints in regard thereto; providing for the revocation and suspension of such licenses and the method, notice, hearing and procedure therefor; providing for appeals from certain orders of the commission; requiring the payment of certain fees for such licenses, the renewal thereof and from nonresident brokers and the use thereof; providing certain procedure and conditions whereby certain nonresident real estate brokers, licensed in another state, may be entitled to conduct such business in this state; excluding certain persons and certain court officers or appointees from the requirements of this act under the circumstances stated herein; establishing the state real estate commission's fund and the transfer of certain money to it from or owing to the state real estate commissioner's fund; limiting the expenditures of the commission; defining certain terms and words as used in this act; prescribing certain penalties; and to repeal all of Article 9, Chapter 76, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Crossland
Cullingham
Heiliger
Hubka
Ogden
Peterson

Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Dooley
Foster
Greenamyre
Gutoski
Hanna
Jeppesen
Klaver
Lee
Matzke
Norman
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 8:

Carmody
Doyle
Gantz
Mekota
Mischke
Mueller
Neubauer
Osborne

Not voting, 5:

Craven
Garber
Jeffords
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Explanation of Vote

Mr. President: I vote against L. B. 100 because in my opinion it is an unreasonable restriction on the right of real estate owners to manage and sell their own property.

(Signed) Gantz

SELECT FILE

LEGISLATIVE BILL 294. E and R amendments, found in the Legislative Journal for the Seventy-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 361. Mr. Klaver asked unanimous consent to have the Standing Committee amendments read in place of the original bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Mr. Klaver offered the following amendment, which was adopted:

Amend Line 6, Section 6, as amended, by adding after the word "appointment" the words, "or election".

Member Excused

At 10:45 a.m. Mr. Raecke was excused for the balance of the morning.

GENERAL FILE (Continued)

Mr. Jeffords moved to postpone indefinitely.

After discussion, Mr. James H. Anderson moved the previous question.

The President put the question "Shall the debate now close?"

The motion prevailed with 30 ayes, no nays, 13 not voting.

Record vote was requested on the Jeffords motion.

Voting in the affirmative, 23:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Garber
Hanna
Heiliger
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Osborne
Reavis
Sorrell
Thomas
Weborg

Voting in the negative, 18:

Anderson, D. S.
Anderson, James H.
Craven
Crosby
Cullingham
Dooley
Doyle
Gantz
Greenamyre
Gutoski
Hubka
Klaver
Norman
Ogden
Peterson
Rakow
Thompson
Tvrdik

Not voting, 2:

Foster
Raecke

The motion prevailed.

LEGISLATIVE BILL 277. Read and considered.

Mr. Thomas asked unanimous consent to add the name Sam Klaver as an introducer.

No objection was offered. So ordered.

Mr. Mueller moved to add the emergency clause.

The motion prevailed. So ordered.

Referred to E and R for review.

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The Committee on Order and Arrangement met on Monday, April 19, 1943, and at such meeting the following decisions were arrived at: That L. B. 407, 429, 430 and 433 which affect the general appropriations bill be advanced to the top of general file immediately below L. B. 428 and directly following to be considered L. B. 101, 145, 286, 248, 405, 283, 408, 71, 72, 420, 236, 435, 436, 176, 296, 43, 255, 419, 280, 253, and that the following bills be placed on the non-controversial list, to wit:

L. B. 438
L. B. 434
L. B. 139
L. B. 269
L. B. 386
L. B. 351
L. B. 355
L. B. 194
L. B. 112
L. B. 242
L. B. 182
L. B. 223
L. B. 225
L. B. 157
L. B. 191
L. B. 246
L. B. 239
L. B. 22
L. B. 206
L. B. 197
L. B. 249
L. B. 297
L. B. 264
L. B. 167
L. B. 337
L. B. 365
L. B. 387
L. B. 314
L. B. 244
L. B. 50
L. B. 329
L. B. 385
L. B. 328
L. B. 331
L. B. 321
L. B. 309
L. B. 195
L. B. 396
L. B. 352
L. B. 418
L. B. 369
L. B. 334
L. B. 155
L. B. 160
L. B. 400
L. B. 247
L. B. 282
L. B. 285
L. B. 402
L. B. 238
L. B. 327
L. B. 353
L. B. 364
L. B. 391
L. B. 414
L. B. 415
L. B. 318
L. B. 299
L. B. 231
L. B. 422
L. B. 394
L. B. 427
L. B. 413
L. B. 432

(Signed) Tvrdik, Chairman

MOTION—Not to Concur in Committee Report

Mr. President: I move that we do not concur in the report of the Committee on Banking, Commerce and Insurance indefinitely postponing L. B. 2 and that same be placed on General File.

(Signed) Craven

Recess

At 12:03 p.m. on motion by Mr. Heiliger the Legislature recessed until 2:30 p.m.

After Recess.

The Legislature reconvened at 2:45 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Thompson.

NOTICE OF COMMITTEE HEARINGS

Banking, Commerce and Insurance

L. B. 310, Continued hearing, Tuesday, April 27, 1943, 7:30 p.m.

MOTION—Not to Concur in Committee Report

LEGISLATIVE BILL 2. Mr. Craven renewed his motion found in this day's Journal.

The motion was lost with 3 ayes, 27 nays, 13 not voting.

GENERAL FILE

Mr. Reavis Presiding

MOTION—To Pass Over Legislative Bill 204

Mr. Mischke moved to pass over L. B. 204 and consider the appropriation bills.

The motion prevailed.

LEGISLATIVE BILL 219. Read and considered.

Mr. Tvrdik offered the following amendment, which was adopted:

That the figure "1" be inserted after the word "Section" in line 1.

Standing Committee amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Mr. James H. Anderson offered the following amendments, which were adopted:

In line 9, strike the words "or transmitting" and after the word "steam" in said line add the following words: "under pressure of more than fifteen pounds per square inch"; in line 10, after the word "power" strike the "," and strike the following words: "for using steam under pressure"; in line 11, strike the words "or steaming".

Referred to E and R for review.

LEGISLATIVE BILL 421. Read and considered.

Mr. Osborne Presiding

Mr. Greenamyre offered the following amendment, which was adopted:

Amend the bill by striking the words "twenty-five" in line 6 and insert "five".

Mr. Raecke offered the following amendments, which were adopted:

1. Amend the bill, Section 1, line 18, by inserting after the words "Attorney General", the words "not to exceed forty-two hundred dollars per annum".

2. Amend the title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 423. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 428. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 407. Read and considered.

Mr. Matzke moved to refer the bill to E and R for review.

The motion prevailed with 21 ayes, 12 nays, 9 not voting.

LEGISLATIVE BILL 429. Read and considered.

Standing Committee amendments to Section 1, found in Legislative Journal for the Sixty-first Day, were adopted.

Mr. Klaver offered the following amendments:

1. Amend page 2 of the bill, section 1, line 17, by striking the words and punctuation "and (3) the" and inserting in lieu thereof:

"(3) There shall be credited and shall inure to the state assistance fund an additional forty per cent of the balance of the aircraft tax, after payment of such refunds, until such time as the state assistance fund shall be reimbursed in full for the loss sustained by it since June 30, 1937, through failure to credit to such fund the one cent additional tax actually collected for state assistance; and (4) The".

No action taken.

STANDING COMMITTEE REPORTS

Agriculture

LEGISLATIVE RESOLUTION 20. Indefinitely postponed.

(Signed) Neubauer, Chairman

Enrollment and Review

LEGISLATIVE BILL 284. Correctly engrossed.

(Signed) James H. Anderson, Chairman

Adjournment

At 4:43 p.m. on motion by Mr. Greenamyre the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, April 21, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, who was excused for Wednesday and Thursday, and Mr. Thomas, who was excused for the remainder of the week.

The Journal for the Seventy-third Day was approved as corrected.

Communications

A letter was read from Mayor Dan B. Butler of Omaha, concerning the State Guard.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 185. With emergency clause.

A bill for an act to amend section 83-910, Compiled Statutes of Nebraska, 1929, relating to prison labor; to authorize the Board of Control, until March 1, 1945, to enter into contracts for the production and sale of "war articles" and to use prison labor in making "war articles" under the prescribed conditions and regulations; to permit the Board of Control to make certain rules and regulations pertaining thereto; to define "war articles" as used in this act; to provide how the funds required therefor must be obtained and the funds received therefrom shall be used; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' ".

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Weborg

Voting in the negative, 0.

Not voting, 6:

Cullingham
Matzke
Ogden
Rakow
Thomas
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statements for the Journal

Mr. President: Had I been present, I would have voted aye on L. B. 185.

(Signed) Cullingham.

Mr. President: Had I been present, I would have voted aye on L. B. 185.

(Signed) Tvrdik.

LEGISLATIVE BILL 188. With emergency clause.

A bill for an act to amend section 79-524, C. S. Supp., 1941, relating to schools; specifically to appropriate, for the biennium beginning July 1, 1943 and ending June 30, 1945, the sum of fifty thousand dollars, or so much thereof as may be necessary, for the purpose of paying the tuition of children whose parents are officers or enlisted men of the United States army, navy, or marine corps on duty in the State of Nebraska; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Matzke
Ogden
Rakow
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 256. With emergency clause.

A bill for an act to amend section 33-163, C. S. Supp., 1941, relating to fees; to provide that all money collected by special boards, bureaus, divisions or commissions during the biennium ending June 30, 1945, except fifteen per cent thereof to be credited from each and deposited in the general fund of the state, shall, when specifically appropriated by the Legislature, be made immediately available for the use and benefit of each special board, bureau, division or commission; to provide that the provisions hereof shall not be construed to apply to the fees inuring to the Nebraska brand inspection and theft prevention fund; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Matzke
Ogden
Rakow
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 56.

A bill for an act to amend sections 55-401, 55-402, 55-403, 55-404 and 55-411, C. S. Supp., 1941, relating to the Nebraska State Guard; providing that the regulations prescribed may cover organization, standards of training and instruction; permitting such guard to accept gifts, donations, gratuities or anything of value only upon the approval and procedure herein provided; providing that the material, which may be requisitioned or purchased by the Governor from the Secretary of War, may include ammunition and clothing and that the materials shall be purchased or requisitioned under regulations determined by the Secretary of War; providing that while in training the members of the Nebraska State Guard shall receive no compensation from the State of Nebraska; providing that the term of enlistment shall be three years; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Carmody
Craven
Lee
Osborne
Rakow
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 132. With emergency clause.

A bill for an act relating to manufacturing of plastics; to provide state aid to encourage the construction and operation of such plants in this state, using principally, in the manufacture of plastics, products of the kind generally grown on the farms of Nebraska; specifying the conditions for such state aid and the right of checking and inspection, by the Department of Agriculture and Inspection; to see that said conditions are complied with; providing such payment to be made out of the general fund of the state; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 24:

Anderson, D. S.
Asimus
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Foster
Gantz
Heiliger
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 12:

Anderson, James H.
Bowman
Crosby
Dooley
Doyle
Gutoski
Hanna
Klaver
Matzke
Mischke
Raecke
Reavis

Not voting, 7:

Brodahl
Garber
Greenamyre
Hubka
Lee
Rakow
Thomas

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. 132 With Emergency Clause Stricken

Voting in the affirmative, 24:

Anderson, D. S.
Asimus
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Foster
Gantz
Heiliger
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 13:

Anderson, James H.
Bowman
Crosby
Dooley
Doyle
Greenamyre
Gutoski
Hanna
Klaver
Matzke
Mischke
Raecke
Reavis

Not voting, 6:

Brodahl
Garber
Hubka
Lee
Rakow
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

LEGISLATIVE BILL 263.

A bill for an act relating to discrimination in the employment of labor; to provide that it shall be unlawful to refuse employment to any person, in the production, manufacture or distribution of military or naval material, equipment, or supplies for the State of Nebraska or the government of the United States, on account of race, color, creed, religion or national origin of such person; and to provide a penalty.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 2:

Hanna
Mischke

Not voting, 4:

Garber
Lee
Rakow
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 274. Laid over.

SELECT FILE

Mr. James H. Anderson moved that the rules be suspended and that the bills on Select File be considered at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

LEGISLATIVE BILL 410. E and R amendments, found in the Legislative Journal for the Seventy-second Day, were adopted.

Mr. Neubauer moved to refer the bill to General File for specific amendment.

After discussion, Mr. Mischke moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 27 ayes, no nays, 16 not voting.

The Neubauer motion was lost with 4 ayes, 21 nays, 18 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL 251. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted by unanimous consent:

Amend the Greenamyre amendment of April 17, 1943, by striking the words "process his own meat and other produce" and substitute therefor the following: "slaughter, dress, cut or dismember his, her or their own meat, or to gather, clean and prepare any other food".

Mr. Weborg moved to refer to E and R for engrossment.

The motion prevailed with 28 ayes, no nays, 15 not voting.

LEGISLATIVE BILL 368. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 322. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 416. E and R amendments, found in the Legislative Journal for the Seventy-third Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 429. Passed over.

LEGISLATIVE BILL 430. Read and considered.

Mr. Doyle moved to refer to E and R for review.

Mr. Mueller moved to postpone indefinitely.

The motion prevailed with 17 ayes, 11 nays, 15 not voting.

LEGISLATIVE BILL 433. Read and considered.

Mr. Gantz offered the following amendments, which were adopted:

1. Amend page 2 of the bill, by striking all of section 2, and inserting the following in lieu thereof:

"Sec. 2. Except as modified by legislative acts enacted by the Fifty-Sixth Session of the Nebraska Legislature, the report of the 1943 Statute Commission is made of force and shall take effect as law when published in the Revised Statutes of Nebraska, 1943, and when a copy of such Revised Statutes has been deposited in the office of the Secretary of State, as provided in section 16 of this act. The report of the 1943 Statute Commission, together with all general laws enacted during the above mentioned legislative session, when published in the Revised Statutes of Nebraska, 1943, is declared to comprise all of the general laws of the State of Nebraska in force and effect at the date of the publication thereof."

2. Amend page 6 of the bill, section 15, line 7, by striking the word "trimmed" and inserting in lieu thereof the words and punctuation: "before printing,".

3. Amend page 6 of the bill, section 15, line 10, by striking the word "Ronaldson" and inserting in lieu thereof: "in a type face approved by the commission".

4. Amend page 6 of the bill, section 15, line 11, by striking the word "Roman" and inserting in lieu thereof: "in a type face approved by the commission".

5. Amend page 6 of the bill, section 15, lines 16 and 17 by striking the word "Ronaldson" and inserting in lieu thereof: "in a type face approved by the commission".

6. Amend page 6 of the bill, section 15, line 19, by striking the word "Gothic" and inserting in lieu thereof: "in a type face approved by the commission".

7. Amend page 6 of the bill, section 15, line 20, by inserting after the word "type" the word: "page".

8. Amend page 7 of the bill, section 15, line 39, by striking the decimal point and figures ".145" and substituting in lieu thereof the decimal point and figures: ".20".

9. Amend page 7 of the bill, section 15, line 40, by striking the word "sewed" and inserting in lieu thereof: "machine sewed on two tapes to be sewed to the sections"

Referred to E and R for review.

LEGISLATIVE BILL 96. Mr. Brodahl offered the following amendment, which was adopted with 30 ayes, 3 nays, 10 not voting:

1. Amend Section 39 of Standing Committee amendments by inserting after line 6, the following:

"Chemurgic research, study of
Nebraska agricultural resources
in the administration of section
2-2101 to 2-2107, C. S. Supp., 1941, inclusive,
reappropriate unexpended balance as
of June 30, 1943, and then appropriate 39,600.00"

Mr. Sorrell offered the following amendment, which was adopted:

1. Amend Standing Committee amendment, section 39, line 4, by inserting after the word "extension" the following:

", reappropriate unexpended balance as of June 30, 1943, and then appropriate".

Members Excused.

Mr. Sorrell and Mr. Klaver were excused for the afternoon session.

Visitor

Mr. Thompson introduced his father, Mr. Albert Thompson of Fullerton.

Recess

At 12:00 m. on motion by Mr. Greenamyre, the Legislature recessed until 2:00 p.m.

After Recess.

The Legislature reconvened at 2:15 p.m. President Johnson presiding.

The roll was called and all members were present except Messrs. Klaver, Rakow, Thomas and Sorrell, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Wednesday, April 21, 1943, at 2:00 p.m.

L. B. 19
L. B. 141
L. B. 172
L. B. 221
L. B. 265
L. B. 266
L. B. 267
L. B. 316
L. B. 403
L. B. 412

LEGISLATIVE BILL 423. Placed on Select File with amendments.

E and R amendments to L. B. 423:

1. In the bill, Section 1, Page 2, line 3, strike the word "moneys" and in lieu thereof insert "money"; line 5, strike the comma after "School".

2. In the bill, title, page 1, 4th line, strike the comma after "School".

LEGISLATIVE BILL 277. Placed on Select File with amendments.

E and R amendments to L. B. 277:

1. In compliance with legislature amendment by Mr. Mueller, adopted April 20, insert the following, on page 4, in the bill:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. In the bill, Section 1, page 2, line 7, strike "supporting" and in lieu thereof, insert: "~~supporting~~ **in regard to**" and in said line, strike "to" before "obtain" and in lieu thereof insert "~~to~~" ; line 9, strike: "of state institutions" and in lieu thereof, insert: "~~of state institutions~~"; line 11, strike the comma after "resources" and in lieu thereof insert "~~,~~;"; strike all of line 12 after "available" and the word "his" at the beginning of line 13, and in lieu thereof, insert: "~~from whatever source derived,~~; ~~and~~ , his **or her**"; line 16, strike the word "who" and in lieu thereof insert "~~who~~"; line 18, strike the word "like" and in lieu thereof, insert: "~~like~~ **the same**"; line 19, strike: "institution, and the" and in lieu thereof, insert: "**an** institution ~~,~~; ~~and the~~ **. The**"; line 20, after "make" insert the word "**an**"; insert the punctuation "," in line 6 after "applicant", line 7 after "application", line 14 after "person", line 17 after "institution", line 22 after "persons" and line 23 after "jurisdiction" .

3. In the bill, Section 1, subsection 2, pages 2 and 3, line 33, after the word "upon" insert the word "a"; line 34, after "his" and before "maintenance" insert: "**or her**"; line 35, strike the word "his" and in lieu thereof, insert: "~~his~~ **such person's**"; line 37, strike the comma after "health" and in lieu thereof insert: "~~,~~; **and**"; strike the comma after "equipment" and also after "education" in line 37, and in each place insert "~~,~~;"; insert "," at the end of line 33 after "investigation" and at the end of line 34, after "health" .

4. In the bill, Section 1, subsection 3, page 3, line 40, strike: "of state institutions" and in lieu thereof, insert: "~~of state institutions~~"; line 44, after the word "each" insert: "**one of such persons**"; at the end of line 47, after the word "month", insert: "**nor less than five dollars per month**"; strike: ", and in no case" at the end of line 48, all of line 49 and "person as assistance" in line 50, and in lieu thereof, insert: "~~,~~; ~~and in no case shall less than five dollars per month be paid to any person as assistance~~" ; line 41, strike the comma after "assistance" and in lieu thereof insert "~~,~~;" .

5. In the bill, Section 1, subsection 4, page 3, strike the word "of" at the end of line 51, and "state institutions" at the beginning of line 52, and in lieu thereof, insert: "~~of state institutions~~"; strike: "one-eighth" in lines 52 and 53, 55, 62, 63 and 65, and in lieu thereof, insert: "~~one eighth~~ **one eighth**"; line 60, strike: "the preceding proviso" and in lieu thereof, insert: "~~the preceding proviso~~ **this subsection**"; line 61, strike: "of state institutions" and in lieu thereof, insert: "~~of state institutions~~"; line 68, before the word "allocation" insert the word "**such**"; insert "," in line 53 after "appropriation" and line 55 after "Fund" .

6. In the bill, title, page 1, strike the word “and” at the end of the 6th line; strike the period at the end of the 7th line, after “section” and in lieu thereof, insert: “; and to declare an emergency.”.

LEGISLATIVE BILL 417. Placed on Select File with amendments.

E and R amendments to L. B. 417:

1. Strike Standing Committee amendment adopted April 16, 1943, and in lieu thereof, strike all of section 3 in the bill, page 4, and insert the following:

“Sec. 3. The Board of Control may, in its discretion, receive and place in the Nebraska Institution for the Feeble-minded any spastic person, when application therefor is made by the county board of any county in this state. Before the county board of any county shall make such application, it shall make an investigation into the individual case of the spastic and, in determining whether an application shall be made to the Board of Control, shall take into consideration the financial condition of the spastic, the ability of his or her relatives to provide and care for him or her and the effect, upon any other children in the same household, of having such spastic in his or her own home. The county board, before such application is made, shall also require the written consent of the spastic or, if a minor or otherwise unable to give such consent, of the guardian, parent or other person standing in loco parentis to the spastic to the placing of such spastic in the Nebraska Institution for the Feeble-minded. A separate ward for spastic persons shall be provided in such institution by the Board of Control. The per capita cost of maintaining such ward shall be determined by the Board of Control. Each county, having a spastic person cared for in such institution, shall pay monthly to the Board of Control the per capita cost of caring for such spastic person. Such per capita cost so paid may be recovered by the county from the property of the spastic person or from his or her father, grandfather, mother, grandmother, child or children in a civil action brought in any court of competent jurisdiction. The Board of Control shall furnish spastic persons, so confined in such institution, with suitable instruction to enable them, as far as possible, to become self sustaining.”

Amend the legislature amendment by Mr. Greenamyre, adopted April 16, 2nd line, by striking: “for 1929”, and in lieu thereof, insert: “1929,”.

3. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert “;” in line 7 after “them” and in line 8 after “agricultural”.

4. In the bill, section 2, page 2, line 4, after "be" and before "transferred" insert "**(a)**"; line 6, strike: "or may be" and in lieu thereof, insert: "~~or may be~~ , **(b)**"; line 7, insert "," after "state"; line 8, strike: "or may be" and in lieu thereof, insert: ", or **(c)** ~~may be~~"; line 12, strike "or" before "the" and in lieu thereof insert "~~or~~", and in said line, before "county" insert "**the**"; line 13, strike "or" after "attorney" and in lieu thereof, insert: "~~or~~ ,"; line 14, strike "or" before "any" and in lieu thereof insert "~~or~~"; line 16, strike "of" after "county" and in lieu thereof insert: "~~of~~ **in**"; insert ","in line 17 after "apply" and line 18 after "county"; line 17, after "by" and before "petition" insert "**a**"; line 20, strike: "; and the" and in lieu thereof insert: "~~; and the~~ **. The**"; insert "," in line 21 after "institution" and line 22, after "person"; line 22, strike: "in charge" and in lieu thereof, insert: "~~in~~ charge **of**" and in said line, after "may" insert "**also**" and after "for" and before "like" insert "**a**"; line 24, strike: "; and any of" and strike the word "the" at the beginning of line 25, and in lieu thereof, insert: "~~; and any of the~~ **. The**"; line 25, after "named" insert: "**board or**", after "may" insert: " **also so**", and strike: ", as aforesaid," and in lieu thereof, insert: "~~; as aforesaid;~~" .

5. In the bill, Section 2, page 3, line 28, after "forth" insert "**(a)**"; line 29, after "petitioner" strike "and", and in lieu thereof, insert: "~~and~~ , **(b)**"and at the end of said line, after "he" insert: "**, she or it**"; line 30, after the comma and before "the" insert "**(c)**" and strike the comma after "sex" and in lieu thereof insert "~~;~~"; line 31, after the comma and before "the" insert "**(d)**"; line 33, after "and" and before "that" insert "**(e)**"; line 34, strike: ", and" and in lieu thereof, insert: "~~; and~~ **. The petition**"; line 35, after "certificate" insert: "**, made**"; line 36, strike: "with an experience" and in lieu thereof, insert: "~~with an experience~~ **experienced**"; strike the word "his" at the beginning of line 37 and in lieu thereof, insert: "~~his~~ **such**", and in said line, strike "he" and in lieu thereof, insert: "~~he~~ **such physician**"; strike: "in his" at the end of line 38 and the word "opinion" at the beginning of line 39, and in lieu thereof, insert: "~~in his~~ **such physician is of the** opinion **that**"; line 42, strike "shall" before "cause" and in lieu thereof insert "~~shall~~"; lines 43 and 44, strike: "in interest" and in lieu thereof, insert: "~~in interest~~ **interested**"; line 44, after "that" and before "full" insert "**a**" and strike the word "shall" after "opportunity" and in lieu thereof insert: "~~shall~~ **will**"; line 46, insert "," after "If" and also after "hearing", also in line 50 after "feeble-minded"; line 49, strike "he" and in lieu thereof, insert: "~~he~~ **such person**"; line 52, strike "shall" and in lieu thereof insert "~~shall~~"; at the end of line 52 and also at the end of line 53, after the word "his" insert: "**or her**"; line 56, strike "and" after "thereto" and in lieu thereof, insert: ", ~~and~~"; strike the comma at the end of line 56 and all of line 57, and in lieu thereof, insert: "~~, and to arrest and return any who may escape therefrom;~~".

6. In the bill, section 2, page 4, line 61, strike ";" before "Provided" and in lieu thereof, insert: "**and to arrest and return any of them who may escape therefrom;**" ; insert "," in line 61 after "that" and before "if"; line 62, after "institution" insert: "**at the time of the hearing,**"; strike "said ~~board~~" at the end of line 64 and all of lines 65, 66, 67 and 68, and in lieu thereof, insert: "~~said~~ board ~~of control~~ may, in its discretion, detain such inmate in ~~the~~ **said** institution ~~in which he is an inmate at the time of the hearing~~, subject to ~~the~~ **its** rules ~~of such institution~~, or may transfer ~~him~~ **such inmate** to the Nebraska ~~institution~~".

7. In the bill, title, page 1, 5th line, strike the comma after "Feeble-minded" .

(Signed) James H. Anderson, Chairman

GENERAL FILE

LEGISLATIVE BILL 96. Mr. Gantz offered the following amendments, which were adopted:

Amend Sec. 31, page 21, line 6, by striking the word "Compiled" therein and by inserting in lieu thereof the word "Revised".

And by striking the word "Compiled" in line 9 of said section and by inserting in lieu thereof the word "Revised".

Mr. Crosby offered the following amendment, which was adopted:

Amend the standing committee amendments to L. B. 96, page 25, Sec. 30, by inserting a new line after line 8 to be designated as "8a" and to read as follows: "College of Agriculture, experiment substation, North Platte, repair buildings $500.00".

Mr. Neubauer offered the following amendment, which was adopted:

1. Amend section 18 of the Standing Committee amendments, lines 45 to 49, by striking the same and inserting the following in lieu thereof:

"State Entomologist, for
Bee inspection and also including
$2,500.00 for eradication of
Barberry, first reappropriate
unexpended balance as of June 30,
1943, and then appropriate 3,500.00"

Laid over.

Mr. Crossland Presiding

LEGISLATIVE BILL 101. Read and considered.

Mr. James H. Anderson moved to refer the bill to E and R for review.

Mr. Craven offered the following amendment, which was adopted:

Amend Sec. 6, Sub-section 6, page 9, by striking that part beginning with the punctuation "." and word "It" in line 76 and continuing to and ending with the word "convention" in line 91 and insert in lieu thereof the word "and".

Mr. Thompson offered the following amendment:

Amend Sec. 4 as follows: "In line 45, page 4, by striking all of said line following the word "convention" and the words and punctuation "first choice." in line 46; by striking all of line 52, page 4, and inserting in lieu thereof "endorsed by the pre-primary convention."; by striking all of line 67, page 5, after the word and punctuation "endorsed,"; by striking all of line 75, page 5, and all of line 76 preceding the word "In".

Laid over.

Adjournment

At 4:50 p.m. on motion by Mr. Tvrdik, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, April 22, 1943

Pursuant to adjournment the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Doyle, and except Messrs. Rakow and Thomas, who were excused.

The Journal for the Seventy-fourth Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 100. Correctly enrolled.

LEGISLATIVE BILL 407. Placed on Select File with amendments.

E and R amendments to L. B. 407:

1. In the bill, Section 1, page 2, line 5, after the word "paid" insert: "**on a monthly basis**"; strike all of line 6 and in lieu thereof, insert: "**state treasury** ~~treasurer, the warrant to be drawn monthly.~~" .

2. In the bill, title, page 1, 5th line, strike the word "the" before "deputy" and in lieu thereof insert "said"; 5th and 6th lines, strike: "superintendent of public instruction" .

LEGISLATIVE BILL 428. Placed on Select File with amendments.

E and R amendments to L. B. 428:

1. In the bill, Section 1, pages 2 and 3, line 6, strike: "of said state assistance fund, one third" and in lieu thereof, insert: "~~of said state assistance fund~~ **thereof,** ~~one-third~~ **one third**"; line 7, after "for" and before "expenses" insert the word "**the**"; line 9, after "balance" and before the comma insert the word "**thereof**"; line 14, after "for" insert "~~for~~" (repeated in statute); line 31, strike: ", but no" and in lieu thereof, insert: "~~,~~ ~~but no~~ **. No**"; line 39, strike the word "of" after "form" and in lieu thereof insert: "~~or~~ **of**" and in said line, strike: "; and a" and in lieu thereof, insert: "~~;~~ ~~and a~~ **. A**"; line 41, after "provided" insert the word "**for**"; line 44, strike the word "by" and in lieu thereof insert "~~by~~"; line 49, strike the comma after "commodities" and in lieu thereof insert "~~,~~"; at the end of line 51, after the word "such" insert: "**investigations and**"; line 54, after "with" insert "**the**"; line 59, strike the comma after "needy" and in lieu thereof, insert: "~~,~~ **and**"; line 64, strike: "six-month" and in lieu thereof, insert: "~~six-month~~ **six month**"; line 65, strike the word "by" at the beginning of the line, and in lieu thereof, insert: "~~by~~ **for**".

2. In the bill, Section 1, pages 2 and 3, insert the punctuation "," in the following places: line 5 after "administration"; line 8, after "administration"; line 24, after "grants"; line 27, after "balance"; line 28, after "above"; line 30, after "relief"; line 31, after "money" and also at the end of the line, after "fund"; line 34, after "commodities"; line 35, after "county"; line 36, after "persons"; line 37, after "county"; at the end of lines 39 and 40, after "fund"; line 41, after "hereof"; line 42, after "salaries"; line 43, after "part"; line 51, after "personnel"; line 52, after "certifications" and before "may"; line 57, after "certifications" and also after "mentioned"; line 62, after "fund"; line 65, after "periods"; page 4, line 74, after "investigation"; line 75, after "health".

3. In the bill, title, page 1, 4th line, after "amount" insert: "of the state assistance fund"; 5th and 6th lines, strike: "in the state assistance fund"; 6th and 7th lines, strike: "from the operation of the act"; 8th line, insert a comma after "certifications"; 9th line, after "abandoned" and before the semicolon, insert: ", from the operation of this act".

4. In the bill, section 1, page 4, line 74, after "upon" insert "a"; line 75, after "his" insert "**or her**"; line 76, strike "his" and in lieu thereof insert: "~~his~~ **such person's**"; line 78, strike "," after "health" and insert: "~~,~~ **and**".

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 100.

MOTION—Payment of Salary

Mr. President: I move that the Legislature authorize the payment of Michael Gergen's salary for the month of April.

(Signed) Klaver

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 417. E and R amendments, found in the Legislative Journal for the Seventy-Fourth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 429. Mr. Klaver withdrew his amendment found in the Legislative Journal for the Seventy-third Day.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

Amend the bill by adding the emergency clause and amend the title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 438. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 434. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 139. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-ninth Day, were adopted.

Mr. Thompson offered the following amendments, which were adopted:

1. Amend page 14 of the bill, section 20, line 48, by inserting after the figures "11" in said line, the following: "Chiropodists practicing their profession, when licensed and practicing under and in accordance with the provisions of Article 10, Chapter 71, Compiled Statutes of Nebraska, 1929. 12."

2. Amend page 14 of the bill, section 20, line 56, by striking the figures "12" and inserting in lieu thereof the figures "13".

Mr. Osborne offered the following amendment, which was adopted:

Amend Sec. 3 by adding after the period in line 32 the following: "Provided, that any practitioner having lost his original certificate may present a copy of the record of such certificate or his annual renewal card in lieu of the original certificate."

Mr. Gutoski offered the following amendments, which were adopted:

That Sec. 4 of the bill be stricken entirely and the balance of the sections be renumbered accordingly; and that the figures "71-209", appearing in section 23 and in the title be stricken.

Referred to E and R for review.

LEGISLATIVE BILL 269. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 386. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-third Day, were adopted.

Mr. Conklin offered the following amendments, which were adopted:

That standing committee amendments 1 and 2 be amended by changing the last word in the first line of each amendment from "and" to "or".

Referred to E and R for review.

LEGISLATIVE BILL 351. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 355. Mr. Mischke moved that the reading of the entire bill be waived.

The motion prevailed.

Mr. Peterson moved that the correlated bill be referred to E and R for review.

The motion prevailed.

Speaker Crosby Presiding

LEGISLATIVE BILL 96. Mr. Mischke offered the following amendments, which were adopted:

1. Amend section 28 of the Standing Committee amendments, line 5, by inserting after the semicolon following the word "Park" the following: "including $5,000.00 for improvement of Niobrara State Park;".

2. Amend section 28 of the Standing Committee amendments, line 6, as amended, by striking the figures "32,500.00" and inserting in lieu thereof the figures: "37,500.00".

Mr. Neubauer offered the following amendment, which was adopted:

Amend section 18 of the Standing Committee amendments, line 7, by striking the figures "8,000.00" and substituting in lieu thereof the figures "9,000.00".

President Johnson Presiding

Mr. Gantz offered the following amendments, which were adopted:

1. Amend section 13 of the Standing Committee amendments, line 29, by inserting after the punctuation following the word "schools" the following: "no part of which shall be used for the payment of salaries or wages,".

2. Amend section 13 of the Standing Committee amendments, line 34, by inserting after the word "schools" the following: ", no part of which shall be used for the payment of salaries or wages,".

3. Amend section 13 of the Standing Committee amendments, line 36, by inserting after the word "training" and before the punctuation the following: ", no part of which shall be used for the payment of salaries or wages".

4. Amend section 13 of the Standing Committee amendments, line 54, by inserting after the punctuation following the word "schools" the following: "including the payment of salary, wages and travelling expenses for making such inspections,".

5. Amend section 13 of the Standing Committee amendments, line 56, by striking the figures "7,500.00" and inserting in lieu thereof the figures: "32,000.00".

Laid over.

Approved by the Governor

April 21, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 19
L. B. 412
L. B. 316
L. B. 224
L. B. 172
L. B. 266
L. B. 265
L. B. 403

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. 188
L. B. 56
L. B. 185
L. B. 263
L. B. 256
L. B. 132

(Signed) James H. Anderson, Chairman

Signed by the President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 188
L. B. 56
L. B. 185
L. B. 263
L. B. 256
L. B. 132

Member Excused

Mr. Mischke was excused until Tuesday noon, April 27, 1943.

REQUEST—Unanimous Consent

Mr. Mischke asked that unanimous consent be granted to lay over until Tuesday noon Legislative Bills 286, 248, 405, 283, 408, 71, 72 and 204.

Objection was raised by Mr. Cullingham.

Mr. Mischke renewed his request omitting L. B. 204 from the list.

Objection was raised by Mr. Neubauer.

Recess

At 12:03 p.m. on motion by Mr. Mueller, the Legislature recessed until 1:30 p.m.

After Recess

The Legislature reconvened at 1:30 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Messrs. Mischke, Rakow and Thomas, who were excused.

GENERAL FILE

LEGISLATIVE BILL 101. Mr. Thompson's amendment, found in the Legislative Journal for the Seventy-fourth Day, was adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend Section 2, line 5 by striking the word "July" and reinserting the stricken word "August".

Mr. Mekota offered the following amendment, which was adopted:

That the bill be amended as follows: On page 10, Subsection (8) of Section 5, line 128, insert the following after the word and punctuation "election.": "If at such convention, the names of more than two candidates are submitted for any office, successive ballots shall be taken, and the candidate receiving the least number of votes on each ballot shall be eliminated from further consideration, until only two candidates remain, when the final ballot shall be taken."

Mr. Thompson offered the following amendments, which were adopted:

Amend the bill as follows:

By striking in Sec. 6, Sub-Section 7, line 103, the period following the word "candidates" and insert in lieu thereof a comma;

By striking in Sec. 6, Sub-Section 7, in lines 103, 104, 105, 106 the following words and punctuation: "The candidate who shall have received the highest vote shall be endorsed as the party's first choice and the candidate who shall have received the next highest vote shall be endorsed as the party's second choice,";

By striking in Sec. 6, Sub-Section 8, line 128, the period following the word "election" and insert in lieu thereof a comma;

By striking in Sec. 6, Sub-Section 8, in lines 128, 129, 130, 131, 132 the following words and punctuation: "The candidate who shall have received the highest vote shall be endorsed as the party's first choice, and the candidate who shall have received the next highest vote shall be endorsed as the party's second choice,".

Mr. James H. Anderson offered the following amendment, which was adopted:

Amend Sec. 6, Sub. Div. 1, line 8, by striking the word "September" and inserting in lieu thereof the word "October".

Mr. Osborne offered the following amendment, which was adopted:

Amend Sec. 4 by striking the period in line 72 after the word "ballots" and adding the following: "and to the Secretary of State and to the county clerks of each county where the ballots shall be used for election purposes".

Mr. Weborg offered the following amendment, which was adopted:

Amend as follows: Sec. 3, line 5, strike the word "May" and insert "April".

Mr. Reavis moved that the Enrollment and Review Committee be authorized and directed to amend the title of L. B. 101 and other sections of said bill, where necessary, to conform to the Mekota amendment.

The motion prevailed.

Mr. Peterson moved that the bill drafting service be directed to prepare amendments to L. B. 101 to provide:

1. For elimination of endorsement of county and local candidates.

2. For state and congressional delegate conventions, the same delegates to serve in both, composed of delegates elected at the preceding primary election.

(a) At least one delegate for each county regardless of number of party voters at the preceding general election.

(b) Apportion 400 delegates among the counties of the state, apportionment to be made by state central committee of each party, based upon the party vote for governor at the preceding general election.

(c) Elect delegates by counties except in counties containing more than one legislative district and, in counties having more than one legislative district, by legislative districts.

(d) Provide for filing of candidates as delegates before primary and for filling of vacancies.

3. Set out order of business of the delegate convention and provide for adoption of party platform before endorsement of candidates.

4. Provide for submission of issues to party by referendum where minority reports are adopted by not less than 35% of the delegates elected.

5. Provide for minority candidates where there is a division on issues.

Vote was taken on paragraph 1, which prevailed with 32 ayes, no nays, 11 not voting.

Vote was taken on paragraph 2, which was lost with 15 ayes, 16 nays, 12 not voting.

Vote was taken on paragraph 3, which prevailed with 14 ayes, 8 nays, 21 not voting.

Vote was taken on paragraph 4, which prevailed with 15 ayes, 12 nays, 16 not voting.

Vote was taken on paragraph 5, which prevailed with 16 ayes, 15 nays, 12 not voting.

Mr. James H. Anderson asked unanimous consent to have the bill laid over and made special order of business on Monday, April 26, 1943, at 2:00 p.m.

No objection was offered. So ordered.

LEGISLATIVE BILL 145. Mr. Lee asked unanimous consent to have the bill laid over and made special order of business on Tuesday, April 27, 1943, at 2:00 p.m.

No objection was offered. So ordered.

LEGISLATIVE BILL 286. Read and considered.

President Johnson Presiding

MOTION—To Lay Over Certain Bills

Mr. President: I move that Legislative bills 204, 286, 248, 405, 283, 408, 71 and 72 be laid over until Monday afternoon, April 26, after action on L. B. 101.

(Signed) Cullingham

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 251. Replaced on Select File with amendments.

E and R amendments to L. B. 251:

Amend Select File amendment by Mr. Greenamyre, 2nd line, by inserting, before "and substitute", the following: "and all amendments thereto"; 3rd line, insert a comma after "dress" and strike the comma after "meat" in the 4th line.

LEGISLATIVE BILL 294. Replaced on Select File with amendments.

E and R amendments to L. B. 294:

1. In Enrollment and Review Committee amendment No. 1, line 1 of new inserted matter, after the words "That section" and before the figure "2", insert: "66-405, C. S. Supp., 1941, as amended by section".

2. In Enrollment and Review Committee amendment No. 2, page 4, strike all of section 3, and in lieu thereof, insert: "Sec. 3. That original section 66-405, C. S. Supp., 1941, as amended by section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, and original section 66-417, C. S. Supp., 1941, are repealed."

3. In Enrollment and Review Committee amendment No. 3, page 4, third and fourth lines, strike the newly inserted matter and in lieu thereof insert: "section 66-405, C. S. Supp., 1941, as amended by section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, and section 66-417, C. S. Supp., 1941,"

and in the last line of said amendment strike the new inserted matter and in lieu thereof, insert: "said original section 66-405, C. S. Supp., 1941, as amended by section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, and said original section 66-417, C. S. Supp., 1941".

LEGISLATIVE BILL 438. Placed on Select File with amendments.

E and R amendments to L. B. 438:

In the bill, Section 1, page 2, strike the word "of" at the end of line 2, and in lieu thereof, insert the word "to"; line 3, strike the word "of" after the word "and" and before the word "a".

LEGISLATIVE BILL 421. Placed on Select File with amendments.

E and R amendments to L. B. 421:

1. Amend the legislature amendment by Mr. Greenamyre, by striking the new inserted matter and in lieu thereof, insert: "~~twenty-five~~ **five**".

2. Amend the first legislature amendment by Mr. Raecke by underscoring all subject matter in quotation marks and at the beginning of the new inserted matter, after the quotation mark and before the word "not" insert: "**, but**".

3. In accordance with the second legislature amendment by Mr. Raecke, in the bill, title, page 1, 8th line, after the word "General" and before the semicolon, insert: "at an amount not to exceed forty-two hundred dollars per annum".

4. In the bill, Section 1, page 2, strike the word "of" at the end of line 3 and the word "Nebraska" at the beginning of line 4, and in lieu thereof, insert: "~~of Nebraska~~"; line 8, strike: ", which" and in lieu thereof insert: "~~, which~~ **. The**", and in said line, strike the word "his" and in lieu thereof insert: "~~his~~ **the**"; line 15, strike the word "his" and in lieu thereof insert: "~~his~~ **said**"; strike the word "Such" at the beginning of line 16 and in lieu thereof insert: "~~Such~~ **The**"; line 17, strike the word "**in**" before "**such**" and in lieu thereof insert "**of**"; line 18, after "paid" and before "by" insert: "**on a monthly basis**"; strike all of line 20 and in lieu thereof, insert: "**state treasury** ~~treasurer, said warrant to be drawn monthly~~ .".

(Signed) James H. Anderson, Chairman

Member Excused

Mr. Weborg was excused until Monday morning.

Adjournment

At 4:48 p.m. on motion by Mr. Foster the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, April 23, 1943.

Pursuant to adjournment the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offer by the Chaplain.

The roll was called and all members were present except Messrs. Mischke, Rakow, Thomas and Weborg, who were excused.

Speaker Crosby Presiding

The Journal for the Seventy-fifth Day was approved.

STANDING COMMITTEE REPORTS

Appropriations

LEGISLATIVE BILL 437. Placed on General File with amendments.

Standing Committee amendments to L. B. 437:

1. Amend page 2 of the bill, by striking all of lines 5 to 39, inclusive and substituting the following in lieu thereof:

"which shall consist of the Governor, the Superintendent of Public Instruction and the State Treasurer. The officers of the board shall be as follows: Chairman, the Governor; executive secretary, the Superintendent of Public Instruction; and the treasurer, the State Treasurer. The members of the board shall receive no additional compensation for the performance of their duties, but may be reimbursed their actual expenses incurred therein. Regular meetings of the board shall be held monthly. Special meetings may be held upon three days' notice in

writing, at the call of the chairman, or pursuant to a call signed by two of the members. All meetings shall be held in the office of the Secretary in the State Capitol. Two members of the board shall constitute a quorum".

2. Amend page 3 of the bill, section 2, line 4, by striking the word "**outline**" and substituting in lieu thereof the words "**adopt the**".

3. Amend page 4 of the bill, section 3, by striking all of lines 3, 4 and 5 and substituting the following in lieu thereof: "**The State Board of Vocational Education shall appoint an assistant executive secretary, to be designated and**".

4. Amend page 4 of the bill, section 3, line 18, by striking the words "**The Director**" and substituting the following in lieu thereof: "**The State Board of Vocational Education created by this act, acting by and through its director,**".

5. Amend page 4 of the bill, section 3, lines 22 to 24, inclusive, by striking the comma in line 22 and inserting a period in lieu thereof, and then striking all of the new matter thereafter set out in lines 22, 23 and 24.

(Signed) Greenamyre, Chairman.

RESOLUTIONS

LEGISLATIVE RESOLUTION 27. Republican River Flood Control

Introduced by Arthur Carmody of Hitchcock, E. M. Neubauer of Harlan, Daniel Garber of Webster.

WHEREAS, the Congress of the United States, by the adoption of acts pertaining to flood control and reclamation has recognized responsibility on the part of the federal government to control the destructive flood waters of the basins of the Mississippi and Missouri rivers, has declared this to be a national problem, and has heretofore authorized the expenditure of federal funds in considerable amounts in the area for the improvement of conditions resulting from floods and droughts; and

WHEREAS, the Republican River Valley drainage area in Nebraska, settled by people who are and have been making every effort to better their condition in the face of adverse circumstances beyond their control, comprises many hundreds of thousands of acres of valuable land which has been greatly damaged by floods and drought; and

WHEREAS, the Republican Valley in Nebraska, a part of the great drainage area of the Missouri and Mississippi rivers, has thus far received but scant federal recognition and reclamation; and

WHEREAS, as a result of the 1935 and 1940 floods in that valley, over one hundred persons lost their lives, the property loss was tremendous, and much of the vital and valuable land in the valley has been imperiled and made subject to repeated damage from flood waters, while, on the other hand, many thousands of acres in the area are in urgent need of the waste waters of the river for irrigation, the above conditions having combined to make agriculture unprofitable in the southwestern section of Nebraska, caused relief loads which counties are unable to bear, causing population losses which mean reduced land values and tax yields; and

WHEREAS, United States army engineers have assured residents of the upper Republican River Valley that they could set up a plan of flood control which would give protection to Kansas City and other points on the Missouri and Mississippi rivers as well as farm and urban property in the upper valley, by means of the constructive and comprehensive federal program for the protection of life and property from destructive floods and drought within the drainage area of the Republican river, including its tributaries, being admittedly a national problem, which said program is needed for the control, conservation, development and beneficial use of the water and land resources of said area;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Congress of the United States be and it is hereby requested and urged to cause to be made full, complete and comprehensive survey and investigation into the claims of the residents of the Republican River Valley in Nebraska for flood control and reclamation therein, including the storing, preservation and distribution of the waste and flood water of said river and its tributaries for beneficial uses, and that the development of the irrigation program for the Republican River Valley be paralleled by flood control for said valley.

2. That the Congress of the United States be and it is hereby urged to make early appropriation of said funds to insure the inauguration and continuation of internal improvement projects within said valley, and that the proper federal agencies be empowered and directed to give early and careful consideration to the feasibility and advisability of constructing and maintaining dams in said area in Nebraska, including the various tributaries of the Republican river, for the said purpose

of flood control, conservation and other beneficial use of the water, including that of irrigation.

3. That a copy of this resolution be spread at large upon the Journal of the Legislature, and that the Clerk of the Legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed to the President of the United States, the Vice President of the United States, to each congressman and senator from the State of Nebraska, to the chief of the army engineers, Washington, D. C., to the Mississippi Valley Flood Association, to the National Rivers and Harbors Congress and to the National Reclamation Association to the end that each of these federal officials and agencies may know and recognize that the problem of the Republican Valley flood control is serious and that without flood control from which can flow irrigation and soil conservation, this area may become entirely destitute.

Mr. Carmody requested unanimous consent to consider the resolution at once.

No objection was offered. So ordered.

Mr. Carmody moved that the resolution be adopted.

The motion prevailed with 27 ayes, no nays, 16 not voting.

MOTION—To Place on Select File

Mr. President:

I move that Legislative Bill 300 be returned to select file for the following specific amendments:

1. Amend pages 2 and 3 of the bill, by striking section 1, and inserting the following in lieu thereof:

"Section 1. That section 19-801, Compiled Statutes of Nebraska, 1929, as amended by Legislative Bill 187, Fifty-Sixth Session of the Nebraska Legislature, be amended to read as follows:

19-801. (1) Any city of the metropolitan class, city of the first class or city of the second class, within the State of Nebraska, is hereby authorized to acquire, by lease, for a term not to exceed twenty-five years, purchase, condemnation or otherwise, the necessary land within or without such city for the purpose of establishing an aviation field and to erect thereon such buildings and make such improvements, as may be necessary for the purpose of adapting said field to the use of aerial traffic, and may, from time to time, fix and establish a schedule of charges for the use thereof, which charges shall be used in connection with the maintenance and operation of any such field and the activities thereof.

(2) For the purpose of acquiring and improving an aviation field, as hereinbefore authorized, any such city may sell bonds of such city, to be designated "Aviation field bonds", to provide the necessary funds therefor, in an amount not to exceed one per cent of the assessed valuation of the property in such city~~;~~ . ~~such~~ **Such** bonds shall run for not less than ten nor more than twenty years~~,~~ from the date of issuance thereof, and draw interest at a rate not in excess of six per cent per annum~~;~~ . ~~such~~ **Such** bonds may not be sold for less than par~~,~~ and in no case without the proposition of issuing the same having first been submitted to the legal electors of such city~~,~~ at a general or special election held therein, and a majority of the votes cast, upon the question of the issuance of said bonds, being in favor of issuing such bonds; but the authority to sell such bonds, as herein provided, shall not be limited by any other or special provision of law found elsewhere, outside of this act.

(3) For the purpose of acquiring and improving ~~said~~ **an** aviation field, such cities may, in lieu of issuing and selling bonds, levy an annual tax of not to exceed two mills on the dollar of the actual valuation of the taxable property within the corporate limits of such city, **except intangible property,** which tax shall not be levied or collected until the proposition of levying the same has first been submitted to the legal electors of such city, at a general or special election held therein, and the majority of votes cast upon the question of levying such tax shall be in favor thereof. Such levy shall be authorized for a term not exceeding ten years~~,~~ and the proposition submitted to the electors shall specify the number of years for which it is proposed to levy such tax. Where funds for such purposes are raised by the levy of a tax, no part of the funds so accruing shall be used for any other purpose~~;~~. ~~Provided it~~

(4) **It** shall not be necessary, in order to acquire the necessary land **for an aviation field** ~~therefor~~ by lease, to submit the proposition of such acquisition by lease to the legal voters of such city~~;~~. ~~and provided further, that where such acquisition is by lease, cities of the first class or cities of the second class may, without a vote of the legal electors, levy an annual tax, of not to exceed one mill on the dollar of the actual valuation of the taxable property within the corporate limits of such a city for the purpose of leasing, improving and maintaining such an aviation field.~~

(5) For the purpose of the construction, leasing, improvement, maintenance, and management of an aviation field, and for the payment of personal employment in the performance of labor in connection therewith, cities of the first and second class may, without a vote of the legal electors, levy an annual tax of not to exceed one mill on the dollar of the actual valuation on all the real estate and personal property within the corporate limits of such city, except intangible property, and no part of the funds so levied and collected shall be used for any other purpose."

2. Amend the title to the bill, line 2, by inserting after the word "amend" the following: "section 19-801, Compiled Statutes of Nebraska, 1929, as amended by".

(Signed) Greenamyre.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 300. The Greenamyre amendments, above set out, were adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL 251. E and R amendments, found in the Legislative Journal for the Seventy-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 294. E and R amendments, found in the Legislative Journal for the Seventy-fifth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Mr. Gantz Presiding

LEGISLATIVE BILL 96. Mr. Greenamyre, as Chairman of Committee on Appropriations, offered the following amendment, which was adopted:

1. Amend section 36 of the Standing Committee amendments by inserting after line 33 the following:

"Construction of concrete prison wall at the state penitentiary, change of creek channel and construction of a bridge in connection therewith, and after same is completed, balance of amount herein appropriated to be used for construction of a storage building at the state penitentiary, said building to be constructed as far as possible by the use of prison labor, and the engineering work required on both the construction of prison wall, change of creek channel and construction of bridge in connection therewith, and construction of storage building, to be performed, so far as possible, by engineers in the Department of Roads and Irrigation,

not to exceed	163,000.00

Mr. Klaver offered the following amendment, which was adopted:

Amend section 24 of the Standing Committee amendments, line 6, by inserting after the punctuation following the figures "1941" the following:

"appropriate from the Highway Cash Fund, Auditor Account 189, before crediting the proceeds of collection of tax on motor vehicle fuels to the gasoline tax fund, the sum of $70,000.00, to reimburse the State Assistance fund for the loss sustained by it since June 30, 1937, through failure to credit the State Assistance fund with the entire amount of the one cent additional tax collected on aircraft gasoline, which additional tax was originally imposed for the benefit of the State Assistance fund;".

PROGRAM—Good Friday

Mr. Osborne Presiding

LEGISLATIVE RESOLUTION 28. Easter Reflections.

Introduced by Tom Dooley of Sarpy

WHEREAS, this day marks the anniversary of the death on the cross of the Great Redeemer, who gladly accepted an ignoble death in order that millions of people might be assured of future life;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature pause at this time in its deliberations and reflect for a few moments upon the importance of the event, the greatest in history, of which this day is an anniversary, and render homage to Him who died that others might live.

Prayer The Reverend O. J. Burckhardt

Two numbers by chorus under direction of Mrs. D. J. Stavland

Address L. L. Chambers, Chaplain

Mr. Dooley asked that Legislative Resolution 28 be adopted by unanimous consent.

No objection was offered. So adopted.

Approved by the Governor

April 22, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 188
L. B. 185
L. B. 267
L. B. 56
L. B. 263
L. B. 100

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

President Johnson Presiding

Visitors

President Johnson introduced Governor Dwight Griswold who, in turn, presented Herbert Brownell, Jr., formerly of Lincoln, now of New York City, who addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL 96. Mr. Sorrell offered the following amendment:

Amend section 40 of the Standing Committee amendments, line 7, by striking the figures "12,500.00" and inserting in lieu thereof the figures: "25,650.00".

Mr. Osborne Presiding

After discussion, Mr. Hanna moved the previous question.

The Chair put the question, "Shall the debate now close?"

The motion prevailed with 24 ayes, no nays, 19 not voting.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Mr. Neubauer moved to raise the call.

The motion prevailed with 23 ayes, no nays, 20 not voting.

A record vote on the Sorrell amendment was requested.

Voting in the affirmative, 19:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Foster
Gutoski
Heiliger
Jeppesen
Mekota
Mueller
Neubauer
Ogden
Peterson
Raecke
Sorrell

Voting in the negative, 19:

Anderson, James H.
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Hanna
Hubka
Jeffords
Klaver
Lee
Matzke
Norman
Reavis
Thompson
Tvrdik

Not voting, 5:

Mischke
Osborne
Rakow
Thomas
Weborg

The amendment was not adopted.

Members excused

Mr. Reavis was excused for the sessions on Monday and Tuesday, April 26 and 27, 1943.

Mr. Norman was excused until Monday, April 26, 1943.

Recess

At 12:15 p.m. Mr. Gutoski moved to adjourn.

Mr. Mueller moved to recess until 2:00 p.m.

The motion prevailed with 28 ayes, 5 nays, 10 not voting.

After Recess

The Legislature reconvened at 2:00 p.m. President Johnson presiding.

The roll was called and all members were present except Messrs. Bowman, Dooley, Mischke, Norman, Rakow, Thomas and Weborg, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Thursday, April 22, 1943, at 2:00 p.m.

L. B. 56	L. B. 132	L. B. 188	L. B. 263
L. B. 100	L. B. 185	L. B. 256	

MESSAGE FROM THE GOVERNOR

Veto on Legislative Bill 132

April 23, 1943.

Mr. President, Mr. Speaker, and Members of the Legislature:

I am returning without my approval Legislative Bill 132 providing for the payment of a bonus of ten thousand dollars to the firm which first constructs and puts into production a plant for the manufacture of plastics from Nebraska materials.

If a plant is to be built in Nebraska to produce plastics in any appreciable quantity it will require a large amount of capital and I do not believe that the state paying them ten thousand dollars will have any effect whatsoever in causing any firm to build such a plant. Such plants will come into Nebraska when they are proven to be economically sound and profitable over a long term of years.

There is as much reason for Nebraska to offer a bonus of ten thousand dollars for the establishment of a shoe factory using Nebraska hides, for the establishment of a glass or pottery plant, or for the development of any product which uses Nebraska material. It is doubtful if government is intended to spend the taxpayers' money for purposes such as this, and if we ever start I do not see where there is any end. In my judgment this bill is a waste of ten thousand dollars of the people's money and it should not become a law.

Respectfully submitted,
(Signed) Dwight Griswold
Governor.

Approved by the Governor

April 23, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 141 L. B. 221 L. B. 256

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

GENERAL FILE

LEGISLATIVE BILL 96. Mr. Matzke offered the following amendment, which was adopted:

Amend section 44 of the Standing Committee amendments, line 17, by inserting after the punctuation following the word "Institutions" the following: "Board of Vocational Education for the exclusive use of the Nebraska State Trade School,".

Mr. Raecke offered the following amendments and moved their adoption:

1. Strike Sec. 44 of the Standing Committee amendments.

2. Renumber the following Sections to conform.

Member Excused

At 3:30 p.m. Mr. Mekota was excused for the remainder of the afternoon.

After discussion Mr. James H. Anderson moved the previous question.

The motion prevailed with 24 ayes, no nays, 19 not voting.

Record vote was requested on the Raecke amendments.

Voting in the affirmative, 7:

Burnham
Carmody
Craven
Lee
Peterson
Raecke
Sorrell

Voting in the negative, 21:

Anderson, James H.
Brodahl
Conklin
Crosby
Crossland
Cullingham
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Matzke
Mueller
Osborne
Reavis
Thompson
Tvrdik

Not voting, 15:

Anderson, D. S.
Asimus
Bowman
Dooley
Foster
Hubka
Klaver
Mekota
Mischke
Neubauer
Norman
Ogden
Rakow
Thomas
Weborg

The amendments were not adopted.

Mr. Peterson and Mr. Reavis offered the following amendment:

Amend Sec. 20, Line 9, of Standing Committee Amendment by striking the figure "$17,500.00" and by inserting in lieu thereof the figure "$30,000.00".

After discussion Mr. Osborne moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 22 ayes, no nays, 21 not voting.

The Peterson-Reavis amendment was adopted with 16 ayes, 9 nays, 18 not voting.

Laid over.

REQUEST—For Unanimous Consent

Mr. James H. Anderson asked unanimous consent to introduce the Claims bill.

No objection was offered. So ordered.

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 440. By Committee on Claims and Deficiencies, Mekota of Saline, Chairman.

A bill for an act to make appropriations for the payment of claims filed against the State of Nebraska in the office of the Auditor of Public Accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain moneys so appropriated shall be paid and expended; and to declare an emergency.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 27.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 219. Placed on Select File with amendments.

E and R amendments to L. B. 219:

1. Amend legislature amendment by Mr. James H. Anderson, by striking "In line 9" at the beginning of said amendment, and in lieu thereof, insert: "In section 2, page 3, line 9".

2. In the bill Section 1, page 2, line 6, strike: "who shall"; line 10, strike: "the same"; line 11, strike: "the Secretary of State"; line 12, strike the word "same" and in lieu thereof insert: "Secretary of State"; line 16, strike: ", and such" and in lieu thereof insert: ". Such"; line 21, strike: "and shall" and in lieu thereof insert a comma; line 24, strike the word "with" before "knowledge" and in lieu thereof insert: "have a"; insert a comma in line 8, after "bond" and at the end of line 13, after "inspectors"; strike the comma in line 23 after "generators" and in line 26, after "purposes".

3. In the bill, Section 2, pages 2 and 3, strike the comma in line 2 after "inspector", line 4 after "months", line 5 after "condition", at the end of line 12 after "condition"; strike the comma at the end of line 23 and the word "which" at the beginning of line 24, and in lieu thereof, insert: ". The"; line 26, strike: "or user" and in lieu thereof, insert: ", user or person or persons in charge" and in said line, after "equipment" insert a comma; line 27, strike: "or persons in charge of same,".

4. In the bill, Section 3, page 3, line 2, after "to" and before "boilers" insert: "(a)"; line 3, before "boilers" insert "(b)"; at the beginning of line 5, before "boilers" insert "(c)"; line 6, before "boilers" insert "(d)"; line 7, before "heating boilers" insert "(e)"; line 11, after "and" and before "fire" insert "(f)"; strike the comma in line 8 after "buildings", in line 11, after "inch".

5. In the bill, Section 4, page 4, line 2, insert a comma after "rules"; strike the comma at the end of line 5 and the words "and the" at the beginning of line 6, and in lieu thereof, insert: ". Such" ; at the end of line 13, after "life," insert the word "the"; line 14, strike the word "and" before "estimated" and in lieu thereof insert the word "the"; line 15, strike the semicolon after "any"; line 16, strike: "a reoccurrence of" and in lieu thereof insert: "other" ; strike: ", giving" at the end of line 20, and in lieu thereof, insert "and"; strike the comma in line 21 after "equipment" and in line 23 before "and"; line 22, insert a comma after "age" and in said line, strike the word "the" before "amount".

6. In the bill, Section 5, page 4, line 4, after "install" insert "the"; line 7, before "company" insert "the"; insert a comma in line 1 after "equipment" and line 2 after "act"; strike the comma in line 8 after "same".

7. In the bill, Section 6, page 5, line 7, strike: ", together with" and in lieu thereof insert "and"; line 8, strike the word "and" after

"age" and in lieu thereof insert a comma; line 13, strike the word "and" before "obtains"; strike the word "furthermore" at the beginning of line 15; line 17, after "of" and before "insurance" insert "such"; at the end of line 23, after "user" insert: "in writing"; line 25, strike: "in writing,"; line 27, strike the word "shall" after "equipment" and in lieu thereof insert "may"; line 31, strike: ", and the" and in lieu thereof insert: ". The"; insert a comma in line 10 after "inspection" and also after "act", in line 24 after "appurtenance"; strike the comma in line 12 after "act", line 14 after "equipment", at the end of line 16 after "company".

8. In the bill, Section 7, page 6, line 5, after "to" and before "seventy" insert: "and including"; line 13, after "to" and before "four" insert: "and including"; line 14, strike: "inclusive,"; strike the word "and" at the end of line 17 and the word "excess" at the beginning of line 18, and in lieu thereof insert: "or more"; line 28, after "collect" insert: "his expenses in connection therewith and"; lines 29 and 30, strike: ", together with his expenses in connection therewith" ; insert a comma in line 2 after "unit", in line 3 after "act", line 21 after "reservoirs", line 27 after "department".

9. In the bill, Section 8, page 6, line 1, insert a comma after "fees" and also after "act"; line 4, strike: ", and such" and in lieu thereof insert: ". Such"; line 5, strike the word "state" before "general" and in said line, strike the period after "fund" and in lieu thereof insert: "of this state.".

10. In the bill, Section 9, page 7, line 1, strike the word "or" and in lieu thereof insert a comma, and at the end of said line, after "and" insert "the"; line 2, strike the word "and" after "managers" and in lieu thereof insert a comma, strike the comma after "superintendents" and at the end of said line, after "officers" insert: "of such corporations"; line 3, strike: "thereof,"; insert a comma in line 4 after "and" and line 5 after "thereof"; line 5, after "sum" insert "of".

11. In the bill, Section 10, page 7, insert a comma at the end of line 2 after "equipment"; lines 3 and 4, strike: "any equipment covered by this act" and in lieu thereof insert: "the same".

12. In the bill, Section 11, page 7, line 1, strike: "in writing"; line 2, after "equipment" insert: "in writing"; line 4, strike "shall"; strike the word "as" at the beginning of line 8 and in lieu thereof, insert: ", in so far as the same"; line 8, strike the word "the" and in lieu thereof insert "such"; line 9, strike: "herein modified" and in lieu thereof, insert: "otherwise provided herein", and in said line, after "in" and before "event" insert the word "the"; strike the comma in line 12 after "equity"; insert a comma in line 3 after "petition", at the end of line 4 after "defendant", line 5 after "hearing".

13. In the bill, title, page 1, strike the comma in the 5th line after "generators"; 8th line, after "of" and before "boiler" insert "the"; 9th line, strike: "to provide an appropriation;" ; at the end of the 10th line, insert: "to state a saving clause;".

14. In the bill, Section 6, page 5, line 28, insert a comma after "parts"; line 29, strike: "whether or not said equipment".

LEGISLATIVE BILL 434. Placed on Select File with amendments.

E and R amendments to L. B. 434:

1. In the bill, Section 1, page 2, line 4, insert "," after "**States**"; line 6, strike "**Government**" and in lieu thereof, insert: "**of America**".

2. In the bill, Section 2, page 2, insert the punctuation "," in the following places: line 5 after "banks"; line 10 after "banks"; line 11 after "books"; line 16, strike the comma after "Bonds" and in lieu thereof insert ";".

3. In the bill, Section 3, pages 2, 3 and 4, insert the punctuation "," in the following places: line 6 after "case"; line 7 after "inhabitants"; line 23 after "Banking"; line 24 after "it"; line 34, after "order"; line 43 after "and"; line 44 after "court"; line 46 after "and"; line 75 after "operating"; strike the comma and in lieu thereof insert ";" in the following places: lines 11, 13 and 15, after "more"; line 60, after "hire", "promote" and at the end of the line after "promote"; line 69 after "bank"; line 34, strike: "Within" and in lieu thereof, insert: "~~within~~ **Within**"; line 40, after "certify", insert: "**this fact**"; line 41, strike: "such facts and the Attorney General" and in lieu thereof, insert: "~~such facts and the Attorney General~~ **who**"; lines 46 and 47, strike: "the court shall find" and in lieu thereof, insert: "~~the court~~ **it** shall ~~find~~ **be found**"; line 48, strike the word "it" before "shall" and in lieu thereof, insert: "~~it~~ **the court**"; lines 64 and 65, strike: ", and any" and in lieu thereof, insert: "; ~~and any~~ **. Any**".

4. In the bill, Section 3, pages 4 and 5, strike: "If after notice," at the end of line 77, all of lines 78 and 79, and in lieu thereof, insert: "~~If after notice; from the Superintendent of Banking; that a charter for a commercial bank has been requested in said town; the~~ **The local**" ; line 80, after "days" and before "within" insert: "**, after notice from the Superintendent of Banking, that a charter for a commercial bank has been requested for said town,**" ; strike the word "shall" at the beginning of line 82 and in lieu thereof, insert: "~~shall~~"; line 83, strike: "shall not have been" and in lieu thereof, insert: "~~shall~~ **is** not ~~have been~~"; line

84, before "notice" insert "**such**"; line 85, strike: "charter shall not have" and in lieu thereof, insert: "a charter ~~shall~~ **has** not ~~have~~".

5. In the bill, Section 4, page 5, lines 2 and 3, strike: ", Nebraska Legislature," and in lieu thereof, insert: "of the Nebraska State Legislature, 1943,"; line 9, after "by" and before "the" insert: "**either**"; line 10, strike "and" after "directors" and in lieu thereof, insert: "**thereof** ~~and~~ **,**" , and in said line, strike: ", or either" and in lieu thereof, insert: "~~,~~ or ~~either~~ **the said directors and said department**"; lines 11 and 12, strike: "Such corporation shall, before the declaration of such dividend," and in lieu thereof, insert: "**Before the declaration of such dividend,** ~~Such~~ **such** corporation shall, ~~before the declaration of such dividend,~~"; strike "," at the end of line 18 and all of line 19; strike the comma and in lieu thereof insert "~~,~~" at the end of line 8 after "profits", in line 22 after "may" and line 23 after "**semiannually**"; insert the punctuation "," in line 14 after "profits" and line 15 after "dividend".

6. In the bill, Section 4, page 6, line 24, after "only" and before "after" insert: "**(a)**"; strike the word "by" at the end of line 24 and all of line 25, and in lieu thereof, insert: "~~by the directors and the Department of Banking, or either,~~ **to be charged off, as above referred to in this section,**"; line 26, strike the word "and" before "after" and in lieu thereof, insert: "~~and~~ **(b)**"; line 31, after "and" and before "until" insert: "**(c)**"; strike the period at the end of line 36 and in lieu thereof, insert: "~~.~~ **; Provided, that the war loan deposit account shall be excluded from consideration in making the computation of the average daily deposits, as provided in this section.**" ; strike the comma and in lieu thereof insert "~~,~~" in line 24 after "profits", in line 27 after "fund"; insert a comma in line 24 after "debts".

7. In the bill, Section 5, pages 6 and 7, line 3, strike: "moneys, or other" and in lieu thereof, insert: "~~moneys~~ **money** ~~,~~ or ~~other~~"; line 4, strike "or" after "States" and in lieu thereof insert: "~~or~~ **,**"; line 5, strike: "or to" and in lieu thereof insert: "~~or to~~ **,**" and in said line strike: ", or to" and in lieu thereof insert: "~~,~~ or ~~to~~"; line 7, strike: "thereof," and in lieu thereof insert: "~~thereof,~~ **in this state**"; line 9, strike the word "**copartnership**" and in lieu thereof insert "**partnership**"; line 11, after "his" and before "or" insert: "**, her**"; line 13 strike the word "moneys" and in lieu thereof, insert: "~~moneys~~ **money so**", and in said line, strike: ", and all" and in lieu thereof, insert: "~~, and all~~ **. All**"; strike the word "moneys" in lines 14 and 16 and in lieu thereof, insert: "~~moneys~~ **money**"; line 17, after the word "the" and before "governmental" insert: "**United States, the State of Nebraska or the**"; line 19, strike: ", and" and in lieu thereof, insert: "~~,~~ and **,**"; line 21, strike: "assets of such depositories" and in lieu thereof, insert: "**its** assets ~~of such depositories~~"; line 23, strike "or" after "Bank" and in lieu thereof insert: "~~or~~ **, a**"; line 27, strike the comma after "bonds" and in lieu thereof insert "~~,~~".

8. In the bill, Section 6, page 7, lines 4 and 5, strike: ", Nebraska Legislature," and in lieu thereof, insert: "of the Nebraska State Legislature, 1943,".

9. In the bill, title, page 1, 6th line, strike: ", Nebraska Legislature," and in lieu thereof, insert: "of the Nebraska State Legislature, 1943,"; 14th line, after "determine" insert the word "the"; at the end of the 16th line, after "of" insert the word "a"; strike the word "moneys" in the 18th and 19th lines, and in lieu thereof insert "money".

LEGISLATIVE BILL 269. Placed on Select File with amendments.

E and R amendments to L. B. 269:

1. In the bill, Section 1, page 2, strike the comma at the end of line 4 after "Nebraska"; strike the comma at the end of line 6 and the word "when" at the beginning of line 7, and in lieu thereof insert the word "if"; strike the word "the" at the beginning of line 8 and in lieu thereof insert the word "said".

2. In the bill, title, page 1, strike the comma in the 6th line after "state"; 9th line, strike the word "when" and in lieu thereof insert "if"; 10th line, strike: "the Department of Roads and Irrigation" and in lieu thereof insert: "said department".

(Signed) James H. Anderson, Chairman

Adjournment

At 5:00 p.m. on motion by Mr. Gantz, the Legislature adjourned until Monday, April 26, 1943, at 10:00 a.m.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 26, 1943

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Dooley, Mischke, Rakow and Reavis, who were excused.

The Journal for the Seventy-sixth Day was approved.

Petitions and Memorials

The following members introduced petitions:

Mr. Klaver, one, opposing L. B. 139; all members, nine, favoring L. B. 246.

Speaker Crosby Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. 294 L. B. 322 L. B. 416

LEGISLATIVE BILL 351. Placed on Select File with amendments.

E and R amendments to L. B. 351:

1. In the bill, Section 1, page 4, lines 78 and 79, strike: "or per hundred" and in lieu thereof, insert: "~~or~~ , per **sack, per container, per package** ~~hundred~~"; line 84, strike: "one-eighth" and in lieu thereof insert: "~~one-eighth~~ **one eighth**"; line 90, strike the word "and" and in lieu thereof insert "~~and~~"; lines 92 and 93, strike: "in other sized packages," and in lieu thereof, insert: "~~in other sized packages,~~"; strike the period at the end of line 94 and in lieu thereof, insert: "**in other sized packages** ." .

2. In the bill, title, page 1, 4th and 5th lines, strike: "container or packages" and in lieu thereof insert: "barrels, sacks, containers, packages or divisible merchantable quantities"; 6th line, after the semicolon and before "and" insert: "to except flour prepared for special purposes from this act;".

3. In the bill, Section 1, page 2, line 3, strike: "(1)" and in lieu thereof, insert: "(1) ~~,~~"; in line 8, strike: ", and shall" and in lieu thereof, insert: "~~,~~ and ~~shall~~" .

4. In the bill, Section 1, page 4, line 78, strike: "(2)", and in lieu thereof, insert: "(2) ~~,~~" .

LEGISLATIVE BILL 429. Placed on Select File with amendments.

E and R amendments to L.B. 429:

1. In Standing Committee amendment No. 5, at the beginning of the inserted matter, after the quotation mark and before "**and**" insert "**,**" and in said insertion strike: "**Sec. 66-405**" and in lieu thereof, insert: "**section 66-405, C. S. Supp., 1941,** ".

2. In conformance with the amendment by Mr. Raecke, add the following section on page 3: "Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law." and in the title, page 1, strike the period at the end of the 8th line, after "section" and insert the following: "; and to declare an emergency." .

3. In the bill, Section 1, page 2, line 20, strike "moneys" and in lieu thereof insert: "~~moneys~~ **money**"; strike the comma in line 21 after "Commission" and in lieu thereof insert "~~,~~"; insert "," in line 26 after "thereof", in line 27 after "tax", line 32 after "aircraft", line 35

after "hereof", line 36 after "tax"; line 33, strike: ", and the use thereof" and "shall be" at the beginning of line 34, and in lieu thereof, insert: "~~, and the use thereof~~ **which** shall be **used**"; page 3, line 37, strike "in" after "law" and in lieu thereof, insert: "~~in~~ **with**", and in said line, after "same" and before "as" insert "**is**".

4. In the bill, title, page 1, 7th line, strike the word "and" before "to".

(Signed) James H. Anderson, Chairman

Member Excused.

Mr. Greenamyre was excused for a part of the morning.

MOTION—To Suspend Rules and Place on General File

Mr. Mekota moved that the rules be suspended and that L. B. 440 be placed on General File.

The motion prevailed with 31 ayes, no nays, 12 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 303.

A bill for an act to amend section 32-802, C. S. Supp., 1941, relating to elections; to provide that an elector who appears before the county clerk, as issuing officer, in person, to obtain his ballot and vote it before leaving home, must do so at least two clear days before the election; providing the procedure for voting by absent voters and disabled voters; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Cullingham
Doyle
Foster
Gantz
Jeffords
Jeppesen
Klaver
Lee
Ogden
Osborne
Peterson
Raecke

Brodahl
Burnham
Carmody
Craven
Crossland
Garber
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mekota
Mueller
Neubauer
Norman
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 8:

Conklin
Crosby
Dooley
Greenamyre
Mischke
Rakow
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 60. With emergency clause.

A bill for an act to amend sections 66-411, 66-405 and 66-416, C. S. Supp., 1941, relating to the creation, distribution, allocation and use of the gasoline highway fund; to extend and continue tax at the rate of five cents per gallon on all motor vehicle fuels; to provide for the allocation and distribution thereof, the funds to which the same shall be credited and the use made thereof; to repeal the original sections; to prescribe certain penalties for a failure to comply with the provisions of this act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Burnham	Mischke	Rakow	Reavis
Dooley			Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—For Unanimous Consent

Mr. Peterson asked unanimous consent to refer L. B. 368 to Select File for the following specific amendment:

To strike amendment 3 of the Peterson amendments to the bill, found on page 998 of the Journal of April 9, 1943, and amend page 2 of the bill, section 1, line 13, by striking the period, inserting a semicolon in lieu thereof, and then adding:

"Provided, that the Secretary of State may, in his discretion file notice of such lien in the office of the county clerk of the county wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein the real estate sought to be charged with such lien is situated; and the lien provided for in this act shall be invalid as to any mortgagee or pledgee whose lien is filed, or as against any judgment lien which attached, or as against any purchaser whose rights accrued, prior to the filing of such notice."

No objection was offered. So ordered.

MOTION—To Replace on Select File for Specific Amendment

Mr. Hubka moved that L. B. 417 be replaced on Select File for the following specific amendment:

Insert a period after the word "instruction" in line 30 of Enrollment and Review amendments to Sec. 3, and then strike the balance of line 30 and all of line 31.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 368. Mr. Peterson's specific amendment, above set out, was adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL 417. Mr. Hubka's specific amendment, above set out, was adopted by unanimous consent

Referred to E and R for engrossment.

LEGISLATIVE BILL 423. E and R amendments, found in the Legislative Journal for the Seventh-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 277. E and R amendments, found in the Legislative Journal for the Seventh-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 407. E and R amendments, found in the Legislative Journal for the Seventh-fifth Day, were adopted.

Mr. Matzke moved to refer to E and R for engrossment.

Mr. Hanna requested unanimous consent to refer the bill to General File for the following specific amendment:

Amend section 1, line 4, by changing the figures "3600" to "3,000.-00".

No objection was offered. So ordered.

LEGISLATIVE BILL 428. E and R amendments, found in the Legislative Journal for the Seventy-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 438. Mr. James H. Anderson moved that the rules be suspended and that the bill be considered on Select File at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

E and R amendments, found in the Legislative Journal for the Seventy-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 421. E and R amendments, found in the Legislative Journal for the Seventy-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 219. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

REQUEST—For Unanimous Consent

Mr. Cullingham asked that unanimous consent be granted to change the special order on L. B. 101 to 2:00 p.m. Tuesday; to change the special order on L. B. 145 to 2:00 p.m. Wednesday; and that L. B. 204 and succeeding power bills be special order following 101 on Tuesday afternoon.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 407. Mr. Hanna moved that his Specific amendment, above set out, be adopted.

Mr. Matzke offered the following amendment, which was adopted with 23 ayes, 10 nays, 10 not voting:

That the Hanna amendment be amended by striking "$3,000.00" and substituting in lieu thereof "$3,300.00".

The Hanna specific amendment, as amended, was adopted with 24 ayes, 5 nays, 14 not voting.

Mr. Hanna offered an amendment, which was lost.

Mr. Mekota offered an amendment, which was lost with 10 ayes, 13 nays, 20 not voting.

Laid over. Retains place on File.

Member Excused

Mr. Doyle was excused for the remainder of the day.

Recess

At 12:10 p.m. on motion by Mr. Foster the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Messrs. Dooley, Doyle, Mischke, Rakow and Reavis, who were excused.

GENERAL FILE

REQUEST—For Unanimous Consent

Mr. Greenamyre asked that unanimous consent be granted to consider L. B. 407 at once.

No objection was offered. So ordered.

LEGISLATIVE BILL 407. Mr. Greenamyre offered the following amendments, which were adopted:

1. Amend page 2 of the bill, by adding after section 1, a new section to be numbered 2, reading as follows: "Sec. 2. That section 79-1610, Compiled Statutes of Nebraska, 1929, be amended to read as follows: 79-1610. The ~~superintendent of public instruction~~ **Superintendent of Public Instruction** of the State of Nebraska shall ~~have power to~~ appoint a deputy superintendent, ~~of public instruction and the deputy~~ who may do and perform, in the absence or inability of the superintendent ~~of public instruction~~ all the acts and duties that may be authorized and required to be performed by the superintendent ~~of public instruction~~; and the superintendent shall be responsible for all the official acts of his deputy."

2. Amend page 2 of the bill, by striking the present section 2, and inserting in lieu thereof the following: "Sec. 3. That original sections 79-1610 and 79-1611, Compiled Statutes of Nebraska, 1929, are repealed."

3. Amend the title, line 2, by striking the word "section" and inserting in lieu thereof the following: "sections 79-1610 and".

4. Amend the title, line 4, by inserting after the punctuation following the word "instruction" the following: "to require the appointment of a deputy superintendent of public instruction;".

5. Amend the title, line 7, by striking the word "section" and inserting in lieu thereof the word: "sections".

Mr. Burnham offered an amendment which was lost with 11 ayes, 16 nays, 16 not voting.

Mr. Mekota offered an amendment which was lost with 4 ayes, 14 nays, 25 not voting.

Mr. Matzke moved to refer to E and R for review.

The motion prevailed with 16 ayes, 8 nays, 19 not voting.

MOTION—To Recess at 5:00 p.m.

Mr. President: I move that the Legislature recess at 5 p.m. until 7:30 p.m. today and go into session at 7:30 p.m. and stay in session until 9:30 p.m. and that non-controversial bills only be considered at the night session.

(Signed) Craven

The motion prevailed.

GENERAL FILE (Continued)

LEGISLATIVE BILL 96. Mr. Thomas moved that the Legislature reconsider its action of April 23 to amend L. B. 96 as pertaining to the Sorrell amendment as appears on page 1102 in the Journal.

After discussion Mr. Foster moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion was lost with 16 ayes, 6 nays, 21 not voting.

After further discussion, Mr. James H. Anderson moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 27 ayes, no nays, 16 not voting.

Vote was taken thereon and the Thomas motion prevailed with 23 ayes, 14 nays, 7 not voting.

Mr. Sorrell moved that his amendment to section 40, found in the Legislative Journal for the Seventy-sixth Day, be adopted.

Mr. Lee and Mr. Matzke offered the following amendment, which was adopted with 17 ayes, 14 nays, 13 not voting:

That the Sorrell amendment to Sec. 40 of L. B. 96 be amended by adding the following: "provided that $13,000.00 shall be used exclusively for 4-H Club premiums in addition to the regular premiums of $5,000 each year to be paid from other funds".

Mr. Sorrell's amendment, as amended, was adopted with 22 ayes, 10 nays, 12 not voting.

Mr. Mueller offered an amendment which was lost with 14 ayes, 17 nays, 12 not voting.

Mr. James H. Anderson Presiding

Mr. Peterson offered the following amendment, which was adopted:

Amend section 40 of the Standing Committee amendments by inserting immediately following line 16, the following additional matter: "All funds raised by taxation and specifically appropriated by the Legislature for the use and benefit of the Nebraska State Board of Agriculture shall be handled and disbursed in the same manner as funds of other state departments and agencies, and any unexpended balance on hand on June 30, 1945, of the appropriation herein made shall lapse into the general fund unless reappropriated by the 1945 Legislature."

Mr. Tvrdik offered an amendment which was lost with 15 ayes, 15 nays, 13 not voting.

Mr. Tvrdik offered the following amendment:

Amend L. B. 96, Sec. 34, line 17, to read "$36,327.84" instead of "$20,000".

At 5:00 p.m. Mr. Foster raised the point of order that the time to recess had arrived.

Mr. Tvrdik asked that unanimous consent be granted to take the vote on his amendment.

No objection was offered. So ordered.

Vote was taken on the Trvdik amendment, which was adopted with 19 ayes, 16 nays, 8 not voting.

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed.

L. B. 410 L. B. 251 L. B. 417

LEGISLATIVE BILL 300. Replaced on Select File with amendments.

E and R amendments to L. B. 300:

1. Amend legislature amendment No. 1, by Mr. Greenamyre, adopted April 23, 1943, 2nd line, after the figure "1" and before the comma, by inserting: "and all amendments thereto"; in the inserted matter, line 3, strike: "Legislature," and in lieu thereof insert: "State Legislature, 1943,"; line 7, strike "," after "acquire"; line 24, strike "," after "years" and in lieu thereof insert ","; line 51, after "Provided" insert ","; at the end of line 55, after "that" insert ","; line 60, after "city" insert "," ; strike the comma in line 63 after "maintenance" and in line 64, after "field".

2. Strike Legislature amendment No. 2, by Mr. Greenamyre, adopted April 23, 1943, and in the bill, title, page 1, strike all of the title after the word "amend" in the 2nd line, and all amendments thereto, and in lieu thereof, insert: "section 19-801, Compiled Statutes of Nebraska, 1929, as amended by legislative bill 187, fifty-sixth session of the Nebraska State Legislature, 1943, relating to aviation fields; to provide for levy of taxes in cities of the first and second class for the purpose of the construction, leasing, maintenance, improvement and management of such an aviation field and for the payment of personal em-

ployment in the performance of labor in connection therewith; to provide that no part of the funds so levied and raised shall be used for any other purpose; to repeal the original section as amended by legislative bill 187, fifty-sixth session of the Nebraska State Legislature, 1943; and to declare an emergency."

3. In the bill, page 3, strike all of section 2, and all amendments thereto, and in lieu thereof, insert: "Sec. 2. That original section 19-801, Compiled Statutes of Nebraska, 1929, as amended by legislative bill 187, fifty-sixth session of the Nebraska State Legislature, 1943, is repealed."

(Signed) James H. Anderson, Chairman

Member Excused

Mr. James H. Anderson was excused for the evening session.

Recess

At 5:10 p.m. on motion by Mr. Foster, the Legislature recessed until 7:30 p. m.

After Recess

The Legislature reconvened at 7:30 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Gutoski, and except Messrs. James H. Anderson, Dooley, Doyle, Mischke, Rakow and Reavis, who were excused.

GENERAL FILE

LEGISLATIVE BILL 194. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 112. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 242. Read and considered.

Mr. Greenamyre offered the following amendments, which were adopted:

Amend Section 1, Page 2, by inserting "annually" after the word "to" and before the word "examine" in line 22.

Amend the title, line 3, after the word "shall", by adding the word "annually".

Referred to E and R for review.

LEGISLATIVE BILL 182. Mr. Gantz asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Raecke offered the following amendments, which were adopted:

Amend Section 1, line 34, by striking the words "one thousand" and inserting in lieu thereof the words "five hundred".

Amend the title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 223. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 225. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-sixth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 157. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-seventh Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 191. Read and considered.

Mr. Hubka offered the following amendments, which were adopted by unanimous consent:

Amend Sec. 2 of Standing Committee amendments to L. B. 191 by striking the following words: ", and the words "a termination date" in line 11", and substituting therefor the following words: "to and including the semicolon in line 10".

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth day, were adopted as amended.

Referred to E and R for review.

LEGISLATIVE BILL 246. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 239. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-ninth Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 22. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Fortieth Day, was adopted.

Laid over.

LEGISLATIVE BILL 206. Read and considered.

Mr. Raecke offered the following amendments, which were adopted:

Amend L. B. 206, Section 6, line 11, by striking the word "ordered" and inserting in lieu thereof the word "order".

Amend L. B. 206, Section 7, line 1 by striking the word "the" and inserting in lieu thereof the word "an".

Referred to E and R for review.

LEGISLATIVE BILL 197. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 249. Read and considered.

Mr. Matzke offered the following amendment, which was adopted:

Amend the title, line 7, by striking "conceded" and inserting in lieu thereof "corrected".

Referred to E and R for review.

LEGISLATIVE BILL 297. Read and considered.

Mr. Hanna offered the following amendments:

Amend Section 1, line 7, after the word "persons" strike the period and add, "Provided, that in counties having less than 10,000 population the county boards may levy an annual tax of not to exceed 1 mill upon all the tangible property within the respective corporate limits for the relief of unemployed and indigent persons".

Amend the title to conform.

Mr. Jeppesen offered the following amendment, which was adopted:

Amend the Hanna amendment to read "in counties of 12,000 or less".

Mr. Hanna's amendments, as amended, were adopted.

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 264. Mr. Crosby asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Crosby offered the following amendment, which was adopted:

Strike Standing Committee amendments 16 and 17, and amend page 7 of the bill, lines 192 to 196, by striking the word "districts" in line 192 and all of lines 193 to 196, inclusive, and substituting the following in lieu thereof:

"~~districts~~ **district, public power district or public power and irrigation district** ~~in which there are or may be any educational lands, belonging to the state which are or may hereafter become sites for reservoir purposes,~~ may ~~purchase~~ **acquire** from the state ~~for reservoir purposes such educational lands, or portion thereof,~~ **any educational land, or portion thereof, for the purposes for which such districts are authorized by law to condemn private lands in this state;**".

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, excepting 16 and 17, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 167. Mr. Gantz asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-third Day, were adopted.

Referred to E and R for review.

Adjournment

At 9:30 p.m., on motion by Mr. Sorrell, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 27, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Crosby presiding.

Prayer was offered by Senator Osborne.

The roll was called and all members were present except Mr. Reavis, who was excused.

The Journal for the Seventy-seventh Day was approved.

Petitions and Memorials

The following members introduced petitions:

All members, one, favoring Legislative Bill 246.

BILLS ON THIRD READING

LEGISLATIVE BILL 166. Mr. Mekota moved to refer the bill to Select File to strike the enacting clause.

Mr. James H. Anderson moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 25 ayes, 2 nays, 16 not voting.

The Mekota motion lost with 10 ayes, 22 nays, 11 not voting.

Mr. Carmody asked unanimous consent to lay the bill over one day.

Objection was raised by Mr. Brodahl.

Mr. Weborg moved to refer the bill to Select File for specific amendment.

The motion was lost with 16 ayes, 20 nays, 7 not voting.

Mr. Peterson requested unanimous consent to lay the bill over one day.

Objection was raised by Mr. Mekota.

Mr. Carmody moved that the rules be suspended and the bill be laid over one day.

Mr. Greenamyre moved a call of the House.

A call of the House was ordered.

Mr. Greenamyre moved to raise the call.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Carmody's motion prevailed with 30 ayes, 6 nays, 7 not voting.

The bill was laid over one day.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 284.

A bill for an act relating to carrying on experiments pertaining to the furtherance and promotion of agriculture; to provide for the establishment of experimental testing centers under the control and management of the Board of Regents of the University of Nebraska; to provide for the management and operation of such testing centers; and to provide an appropriation.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Tvrdik
Weborg

Voting in the negative, 3:

Jeffords
Thomas
Thompson

Not voting, 4:

Crossland
Foster
Garber
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Pass Bill Over Veto

Mr. President: I move that we do not concur with the Governor's report on L. B. 132 and pass the same over his veto.

(Signed) Mueller

Whereupon the President stated: "Shall the bill pass, notwithstanding the objection of the Governor?"

Mr. Mueller moved a call of the House.

A call of the House was ordered.

Mr. Hanna moved to raise the call.

Thirty-six members were present.

The call was raised with 23 ayes, 9 nays, 11 not voting.

Voting in the affirmative, 18: (on passage of the bill)

Asimus
Carmody
Gantz
Garber
Mekota
Mueller
Osborne
Peterson

Conklin
Craven
Foster
Heiliger
Jeppesen
Neubauer
Norman
Sorrell
Thomas
Weborg

Voting in the negative, 11:

Anderson, D. S.
Bowman
Crosby
Doyle
Gutoski
Hanna
Klaver
Matzke
Mischke
Raecke
Rakow

Not voting, 14:

Anderson, James H.
Brodahl
Burnham
Crossland
Cullingham
Dooley
Greenamyre
Hubka
Jeffords
Lee
Ogden
Reavis
Thompson
Tvrdik

A constitutional majority having failed to vote in the affirmative, the bill failed of passage over the Governor's veto.

Visitor

Mr. Rakow introduced Mr. Lyle E. Jackson, District Judge, of Neligh, who addressed the Legislature briefly.

GENERAL FILE

LEGISLATIVE BILL 96. Mr. Greenamyre offered the following amendment, which was adopted:

Amend the Klaver amendment of April 23, 1943, found on page 1155 of the Journal, striking the same, and inserting the following in lieu thereof:

"Appropriate from the Highway Cash Fund, Auditor Account 189, the sum of $43,750.00 and appropriate from County Distribution Fund, Auditor Account 706, the sum of $26,250.00 to reimburse the State Assistance fund for the loss of $70,000.00 sustained by it through failure to credit the State Assistance fund with the entire amount of the one cent additional tax collected on aircraft gasoline, which additional tax was originally imposed for the benefit of the State Assistance fund."

Mr. Garber offered the following amendment, which was adopted:

Amend section 18 of the Standing Committee amendments, line 75, by striking the figures and punctuation "$20,000" and insert in lieu thereof "$30,000".

Mr. Matzke Presiding

Mr. Jeppesen offered an amendment to the Mischke amendment to Section 28.

Mr. Norman and Mr. Osborne offered an amendment to the Jeppesen amendment.

Mr. Mekota was excused for the balance of the morning.

The Norman-Osborne amendment was lost with 4 ayes, 16 nays, 23 not voting.

The Jeppesen amendment was lost with 7 ayes, 15 nays, 21 not voting.

Mr. Thompson moved to reconsider action on the Mischke amendment to the Standing Committee amendments to L. B. 96, Sec. 28, lines 5 and 6.

Mr. Thompson moved a call of the House.

A call of the House was ordered.

Mr. Thompson moved to raise the call.

Thirty-five members were present.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Mr. Thompson's motion to reconsider prevailed with 23 ayes, 4 nays, 16 not voting.

REQUEST—For Unanimous Consent

Mr. Hubka asked that unanimous consent be granted to return L. B. 417 to the Committee on Enrollment and Review for correction.

No objection was offered. So ordered.

Recess

At 12:10 p.m. on motion by Mr. Mischke the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Mr. Reavis, who was excused.

Communications

A telegram from Elmer E. Thomas was read.

GENERAL FILE

Special Order

LEGISLATIVE BILL 101. Mr. Peterson offered the following amendments, which were adopted:

Amend Legislative Bill 101, in the following particulars, to carry out the elimination of endorsement of county and local candidates, as set out in my first recommendation adopted by this Legislature on April 22, 1943, and appearing on page 1091 of the Journal:

1. Amend page 4 of the bill, section 4, by striking all of lines 33 to 35, inclusive, and substituting the following in lieu thereof: "provided. **The foregoing provision for rotating of names shall not apply to candidates having an endorsement of their pre-primary state or congressional district conventions.**"

2. Amend page 5 of the bill, section 4, line 78, by striking the words and punctuation "**county,**".

3. Amend page 5 of the bill, section 4, line 81, by striking the words and punctuation "**county,**".

Amend Legislative Bill 101 in the following particulars to carry out my recommendation 3 adopted by this Legislature on April 22, 1943, and found on page 1092 of the Journal:

Amend page 11 of the bill, section 6, by inserting after line 149, a new subsection numbered (9) reading as follows:

"(9) The order of business at all pre-primary conventions where candidates may be endorsed shall be as follows:

(a) Opening of convention;

(b) Selection of temporary officers of convention;

(c) Appointment of credentials committee;

(d) Keynote speech;

(e) Report of credentials committee and action thereon;

(f) Selection of permanent officers of convention;

(g) Speech of permanent chairman;

(h) Appointment of committees, including platform;

(i) Program;

(j) Report of committees and action thereon;

(k) Endorsement of candidates;

(l) Other business;

(m) Adjournment.

The order of business above set forth may be altered by a vote of sixty per cent of the delegates voting thereon, except that the report of the platform committee and adoption of the platform must precede the endorsement of candidates. At all other party conventions, the order of business shall be as above set forth, omitting the endorsement of candidates."

Mr. Peterson offered the following amendments:

Amend Legislative Bill 101 in the following particulars:

Amend page 7 of the bill, section 6, by striking all of lines 27 to 34, and inserting the following in lieu thereof:

"(2) In each even numbered year, there shall be elected, at the primary election, delegates and alternates to the state party conventions, and such delegates and alternates shall serve also in the congressional district party conventions. Such delegates and alternates shall be nominated and elected by counties, except that in counties having more than one legislative district within its boundaries the delegates and alternates shall be nominated and elected from the legislative districts situated therein. The total number of delegates to the state convention shall be four hundred, to be apportioned among the several counties or legislative districts where more than one is situated in any county, by the state central committee of each party upon the basis of the party vote cast for Governor at the preceding general election; Provided, however, each county shall be entitled to one delegate regardless of the number of votes cast. The number of alternates and the apportionment thereof shall be the same as delegates. Nomination of candidates for the position of delegate or alternate to the state convention shall be made in the same manner as is provided by section 32-1124, C. S. Supp., 1941, except that no filing fee shall be required of any such candidate. In case of any vacancy in the office of delegate, the alternate polling the highest number of votes in the county or legislative district from which the delegate was elected shall succeed to his place, and the vacancy created in the position of alternate shall be filled by the county central committee by appointment."

2. Amend page 8 of the bill, section 6, lines 40 and 41, by striking all of line 40, and the words and punctuation "**district conventions, and transact**" in line 41.

3. Amend page 8 of the bill, section 6, lines 58 and 59, by striking the words "**at such time and place as shall be fixed by the state central committee**" and inserting in lieu thereof: "which shall be held at the same place as the **post-primary state convention and immediately after the adjournment thereof**".

4. Amend page 9 of the bill, section 6, lines 75 to 91, inclusive, by striking the words "**shall select delegates to the state and**" in line 75, all of the lines 76 to 90, inclusive, and the words "**Said pre-primary county convention**" in line 91.

5. Amend page 9 of the bill, section 6, lines 96 and 97, by striking the words "**at such time and place as shall be fixed by the state central committee**" and inserting in lieu thereof: "**at the same place as the pre-primary state convention and immediately after the adjournment thereof**".

6. Amend page 9, section 6, lines 97 to 101, inclusive, by striking the words "**The delegates to said congressional**" in line 97, all of lines 98 to 100, inclusive, and the words and punctuation "**forthcoming state pre-primary convention**" in line 101.

7. Amend page 10 of the bill, section 6, lines 122 and 123, by striking the words and punctuation **"The delegates to this convention shall be those selected at the preceding pre-primary county conventions."**

Mr. Mischke Presiding

Record vote was requested.

Voting in the affirmative, 15:

Brodahl
Carmody
Craven
Crosby
Heiliger
Jeppesen
Klaver
Matzke
Neubauer
Norman
Osborne
Peterson
Raecke
Thomas
Weborg

Voting in the negative, 15:

Anderson, James H.
Bowman
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Hubka
Lee
Mekota
Ogden
Tvrdik

Not voting, 13:

Anderson, D. S.
Asimus
Burnham
Conklin
Dooley
Garber
Jeffords
Mischke
Mueller
Rakow
Reavis
Sorrell
Thompson

The amendments were not adopted.

Mr. Osborne offered an amendment which was lost with 5 ayes, 14 nays, 24 not voting.

Mr. Hanna moved that the Legislature reconsider its action on the Peterson amendments last above set out.

Mr. Klaver moved a call of the House.

A call of the House was ordered.

Thirty-eight members were present.

Mr. Foster moved to raise the call.

The motion was lost with 12 ayes, 1 nay, 30 not voting.

Mr. Hanna moved to raise the call.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Mr. Hanna's motion to reconsider the Peterson amendments prevailed with 22 ayes, no nays, 21 not voting.

Mr. Peterson renewed the motion to adopt his amendments.

Record vote was requested.

Voting in the affirmative, 20:

Asimus
Brodahl
Burnham
Craven
Crosby
Cullingham
Dooley
Gantz
Hanna
Heiliger
Jeppesen
Klaver
Matzke
Norman
Ogden
Osborne
Peterson
Raecke
Thomas
Thompson

Voting in the negative, 6:

Anderson, James H.
Crossland
Doyle
Greenamyre
Lee
Mekota

Not voting, 17:

Anderson, D. S.
Bowman
Carmody
Conklin
Foster
Garber
Gutoski
Hubka
Jeffords
Mischke
Mueller
Neubauer
Rakow
Reavis
Sorrell
Tvrdik
Weborg

The Peterson amendments were adopted.

Mr. Sorrell Presiding

Mr. Peterson offered an amendment which was lost with 5 ayes, 17 nays, 21 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 249. Placed on Select File with amendments.

E and R amendments to L. B. 249:

1. In the bill, Section 1, page 2, strike all of line 8 and "and it shall be his duty to" in line 9, and in lieu thereof, insert: "in **the** ~~his~~ county **of such officer** on the tax list ~~,~~ ~~and~~ he . **Such officer** is ~~hereby~~ authorized **to** and ~~it~~ shall be ~~his duty to~~ ".

2. In the bill, Section 1, page 2, strike: ", and" at the end of line 11, all of line 12, and "and the county clerk" at the beginning of line 13, and in lieu thereof, insert: "~~,~~ ~~and the~~ . **The** taxes ~~on the same~~ **thereon** shall be collected **the same** as in other cases ~~;~~ ~~and the~~ . **The** county clerk , ".

3. In the bill, Section 1, page 2, line 15, strike the comma after "property" and in lieu thereof insert "~~,~~"; line 16, strike: "; but the" and in lieu thereof, insert: "~~;~~ ~~but the~~ . **The**".

4. In the bill, title, page 1, strike: "contained in" at the end of the 4th line, and in lieu thereof, insert: "on the tax list as to"; insert a comma in the 6th line after "lands"; 7th line, strike: "on the tax list" and in lieu thereof insert a comma.

LEGISLATIVE BILL 355. Placed on Select File with amendments.

E and R amendments to L. B. 355:

1. In the bill, Section 1, pages 2, 3 and 4, line 14, strike "," after "**state**"; line 16, strike "**method**" after "**premium**"; line 17, after "**other**" and before the parenthesis, insert the word "**method**"; insert the punctuation "," in line 23 after "**jurisdiction**", in line 27 after "**Insurance**", in line 33 after "**company**", in line 36 after "**provided**"; strike the quotation mark and show the same stricken in the following places: line 68 before "**McClintock's**", line 69 after "**Annuitants**", line 82 before "~~standard~~", line 83 after "**Table**", line 84 before "~~substandard~~", line 85 after "**Table.**"; page 6, line 139, strike the word "**nineteenth**" and in lieu thereof insert: "**nineteen**".

2. In the bill, Section 3, page 8, line 25, strike the semicolon after "so" and in lieu thereof insert: "~~;~~ ;" ; page 10, line 72, strike: ", and" and in lieu thereof insert: "~~,~~ and ,"; line 75, strike the comma after "cash" and in lieu thereof insert: "~~,~~ ;" ; line 87, strike: ", or" and in lieu thereof insert: "~~,~~ or ,"; page 11, line 128, after "~~made~~" insert "~~,~~"; page 12, line 144, "," after "that"; strike the word "the" at the beginning of line 149, and in lieu thereof insert: "~~the~~ **such**".

3. In the bill, Section 5, page 16, strike the word "**premiums**" at the beginning of line 96, and in lieu thereof insert the word "**premium**".

4. In the bill, Section 7, page 19, strike all of line 9, beginning with the word "Compiled" and all of lines 10 and 11, and in lieu thereof,

insert: "~~Compiled Statutes of Nebraska, 1929~~ **C. S. Supp., 1941**, as amended by section ~~1, Legislative Bill No. 126, fifty-fifth session, Nebraska State Legislature, 1941~~ **3 of this act** , by" ; insert the punctuation "," in line 20 after "indebtedness".

5. In the bill, title, page 1, 7th line, after "prescribe" insert the word "the", also at the end of the 11th line, after the word "than".

LEGISLATIVE BILL 407. Replaced on Select File with amendments.

E and R amendments to L. B. 407:

1. Strike the legislature amendments made by Mr. Hanna and Mr. Matzke and in lieu thereof, in the bill, page 2, Section 1, line 4, strike: "**thirty-six**" and in lieu thereof insert: "**thirty-three**".

2. In the General File amendment by Mr. Greenamyre, amendment No. 1, line 6 of Sec. 2, after "~~instruction~~" insert ",", and in line 1, strike: "Sec. 2." and in lieu thereof, insert: "Section 1.".

3. In the bill, page 2, Section 1, line 1, strike: "Section 1." and in lieu thereof, insert: "Sec. 2.". Place the sections in the new numerical order, as amended herein.

LEGISLATIVE BILL 433. Placed on Select File with amendments.

1. In General File amendment No. 1, by Mr. Gantz, inserted matter, line 1, after "Sec." strike the figure "2" and in lieu thereof insert the figure "3"; line 2, after "Nebraska" insert "State".

2. In the bill, Section 1, page 2, line 1, insert a comma after "laws"; line 4, after "Nebraska" insert "State".

3. In the bill, Section 3, page 2, line 1, after "Sec." strike the figure "3" and in lieu thereof insert "2"; line 5, after "1943" strike: "." and in lieu thereof, insert: "."; line 6, after "provided" insert the word "for".

4. In the bill, Section 4, pages 2 and 3, line 5, strike the word "shall" at the beginning of the line and in said line, after "report" strike: ", with" and in lieu thereof insert "and"; line 7, strike: ", omitting" and in lieu thereof insert: ". There shall be omitted", after the word "therefrom" insert "the" and after the word "notes" strike the word "and" and in lieu thereof insert a comma; line 8, strike the word "this" and in lieu thereof insert "said"; lines 9 and 10, strike: "sub-

stituting amendatory acts or parts thereof for those amended. All" and in lieu thereof insert the word "all"; strike "shall be" at the end of line 13 and "omitted." at the beginning of line 14, and in lieu thereof, insert: ". Amendatory acts of the fifty-sixth session of the Legislature, or parts thereof, shall be substituted in said revised statutes for those amended."; insert a comma in line 13 after "statutes"; line 18, after "Nebraska" insert "State".

5. In the bill, Section 5, page 3, line 2, after "act" strike "or" and in lieu thereof insert a comma; line 8, strike: "that shall be" and in lieu thereof insert a comma; line 9, insert a comma after "Legislature".

6. In the bill, Section 6, page 3, line 1, strike: ", with amendments,"; line 2, after "and" and before "the" strike the word "of", and in said line, before "the Declaration" insert: "and amendments thereto,"; line 4, strike the comma after "statehood" and in line 5 after "admission"; line 6, after "in" and before "the" insert: "such part of", and in said line, strike: "in such part thereof".

7. In the bill, Section 7, page 3, line 3, strike the comma after "records" and in lieu thereof insert: "and the"; strike all of line 4 after "Senators" and all of line 5 except "the 1943 Statute" and in lieu thereof insert: "and other subjects which"; line 6, strike: "may determine," and in lieu thereof insert: "believe have a direct bearing on state action".

8. In the bill, Section 8, pages 3 and 4, line 3, strike: "; but all" and in lieu thereof insert: ". All" and in said line, insert a comma after "provisions"; line 5, strike the comma after "by" and also after "to" and insert a comma at the end of said line, after "force".

9. In the bill, Section 9, page 4, line 3, after the comma and before the word "as" insert: "shall be construed,"; strike "shall be" at the beginning of line 4 and in lieu thereof insert "is"; lines 4 and 5, strike: "shall be construed".

10. In the bill, Section 10, pages 4 and 5, line 9, strike the comma after "chapters"; lines 17 and 18, strike: "as were"; line 18, strike: "; and in" and in lieu thereof, insert: ". In"; strike the comma at the end of line 20, after "chapter" and at the end of line 21 after "articles"; line 22, insert a comma after "as" and also after "commission"; line 23, strike: "; Provided, it" and in lieu thereof insert "but"; line 29, strike: ", inserting" and in lieu thereof insert: "and to insert"; line 30, strike: "wherein any" and in lieu thereof insert: "where a".

11. In the bill, Section 11, line 4, after "section" and before "of" insert the word "number"; line 9, strike "with" and in lieu thereof insert "and"; line 11, strike the comma after "subdivisions".

12. In the bill, Section 12, page 5, line 5, after "validity" strike the word "or" and in lieu thereof insert a comma; line 7, strike the comma after "possible" and strike the word "shall" before "cite"; line 8, strike the comma after "case".

13. In the bill, Section 13, page 6, line 3, strike the comma after "emergency" and in line 4 after "sections"; insert a comma in line 4 after "unless" and in line 5 after "same" and in line 5, strike the word "any" and in lieu thereof insert "some".

14. In the bill, Section 14, page 6, line 4, strike the word "at" after "quarters" and in lieu thereof insert the word "in".

15. In the bill, Section 15, page 6, line 3, strike: "The contract for printing" and in lieu thereof insert: "Such contract"; line 11, strike the comma after "indexing"; page 7, line 28, strike the colon after "page" and in lieu thereof insert a semicolon.

16. In the bill, Section 16, pages 7 and 8, insert a comma in line 5 after "commission", in line 8 after "laws", line 9 after "Statutes" and also after "copies"; line 13, strike: ", and every" and in lieu thereof insert: ". Every".

17. In the bill, Section 17, pages 8, 9 and 10, line 7, strike the word "such", and strike: "as it deems necessary" and in lieu thereof insert a comma; line 8, strike the period after "act" and in lieu thereof insert: "as it deems necessary."; line 11, strike the comma after "bidder"; line 13, strike: ", which" and in lieu thereof insert: ". These copies"; line 14, strike the word "him" and in lieu thereof insert: "such librarian"; line 17, strike: "in such library"; line 18, strike the comma after "library" and before "University" and in lieu thereof insert: "of the", strike the comma after "Nebraska" and at the end of said line, strike: "in such library"; line 21, strike "the" before "executive"; line 22, strike: "offices of the" and also strike: "to the" at the end of the line; line 27, strike the comma after "Nebraska"; lines 27 and 28, strike: "of State Institutions"; line 30, after "the" and before "Legislature" insert: "1943 session of the"; line 31, strike: "of the 1943 session and" and in lieu thereof insert: "and of"; strike the word "and" at the end of line 50; line 51, after "Nebraska" strike the word "and" and in lieu thereof insert a comma; line 58, strike: "so receiving the" and in lieu thereof insert: "receiving a".

18. In the bill, Section 18, page 10, strike: "to persons" at the end of line 1 and all of line 2 except the word "copies"; line 4, strike: ", and the" and in lieu thereof insert: ". The"; lines 7 and 8, strike: "of which he shall preserve in his" and in lieu thereof insert: "to be kept in such"; line 8, strike: "he shall file" and in lieu thereof insert: "to be filed".

19. In the bill, Section 19, page 10, line 4, strike the word "shall"; line 5, strike "and" before "signed"; strike: "he shall" at the beginning of line 7, and in lieu thereof insert: "without delay", and in said line, strike: ", without delay," and in lieu thereof insert the word "with"; line 8, strike: "as shall" and after the word "hereafter" strike the word "be".

20. In the bill, title, page 1, 4th line, strike the comma after "indexing" and in lieu thereof insert the word "and".

LEGISLATIVE BILL 386. Placed on Select File with amendments.

E and R amendments to L. B. 386:

1. Amend Standing Committee amendment No. 1, as follows: 1st line, insert "**,**" after "**road**", also in the 4th line after "**installation**" and 5th line after "**purposes**"; 6th line, after "as" and before "**prescribed**" insert: "**are or may be**".

2. Amend Standing Committee amendment No. 2, as follows: Insert "**,**" in the 1st line after "**road**", in the 4th line after "**facilities**"; 6th line, after "as" and before "**prescribed**" insert: "**are or may be**".

3. In Standing Committee amendment No. 3, 2nd line, also 3rd line, strike the word "eighteen" in the quotation marks, and in lieu thereof, insert: "~~twenty~~ **eighteen**" in each line.

4. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert "**;**" in the following places: line 7 after "state", line 8 after "upon", at the end of line 11 after "public"; line 11, strike: "of such" and in lieu thereof insert: "~~of such~~"; strike: "and every" at the beginning of line 19 and in lieu thereof insert: "~~and every~~ **. Every**"; line 25, after "of" insert "**a**"; line 27, before "condemnation" insert "**such**"; line 31, after the comma and before "court" insert: "**together with**"; line 33, strike the word "should" and in lieu thereof, insert: "~~should~~ **that if**"; line 34, strike the word "be" after "hereunder" and in lieu thereof insert: "~~be~~ **is**"; strike "," at the end of line 5; insert "**,**" in line 26 before "obtained", in line 27 after "proceedings", in line 32 after "fees".

5. In the bill, Section 2, pages 3 and 4, line 2, before "be amended" insert: "1929,"; strike the comma and in lieu thereof insert "**;**" in the following places: line 3 after "associations", line 6 after "purposes", line 7 after "within", line 12, after "such" insert: "**person,**"; line 18, strike the word "and" before "all" and in lieu thereof insert "~~and~~"; line 20, strike: ", and" and in lieu thereof insert: "**;** and ,"; in lines 22,

27 and 34, after "such" and before "persons" insert: "**person,**"; strike the word "railroad" at the end of line 23 and strike "track or" at the beginning of line 24, and in lieu thereof, insert: "railroad track or ,"; line 34, strike: ", or" and in lieu thereof, insert: "**,** or **the**"; line 40, strike the word "or" after "person" and in lieu thereof, insert: ", or"; line 43, strike the word "railroad" and in lieu thereof insert: "railroad **track,**"; line 46, strike the comma after "corporations" and in lieu thereof insert: "**shall** ,"; lines 46 and 47, strike: "therefor, shall" and in lieu thereof, insert: "therefor **thereof** , shall"; strike the word "or" at the end of line 45, and in lieu thereof insert: ", or"; line 50, strike: "and second class" and in lieu thereof insert: "and , second class"; insert the punctuation "," in line 20 after "practicable".

6. In the bill, Section 3, page 5, line 2, strike the word "sections" and in lieu thereof insert "section".

7. In the bill, title, page 1, 6th line, strike the comma before "and"; 9th line, before "restrictions" insert "for"; 11th line, strike: "poles and poles" and in lieu thereof, insert: "lines and transmission lines,"; 10th line, after the word "for" insert: "the construction, operation, maintenance, removal and relocation of"; 13th line, strike: "located on"; strike the word "and" at the beginning of the 14th line and in lieu thereof insert "or", and in said line, after the semicolon and before the word "and", insert: "to provide that if the future use of such highways require the moving or relocation of said facilities, the same shall be done by and at the expense of the owner thereof; to provide that all wires of such lines shall be placed at least eighteen feet above all road crossings, instead of at least twenty feet;".

8. In the bill, page 2, Section 1, line 7, strike "," after "across", also in line 17 after "cables", at the end of line 27 after "wires", and in line 31, after "costs"; in Section 2, page 3, line 11, insert "**:**" before ";", in line 16, after "Provided" insert "**,**"; page 4, line 26, strike: "and alleys," and in lieu thereof insert: "and **,** alleys".

(Signed) James H. Anderson, Chairman

Adjournment

At 5:00 p.m. on motion by Mr. Klaver the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 28, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present.

The Journal for the Seventy-eighth Day was approved as corrected.

Petitions and Memorials

Mr. Heiliger introduced a petition opposing L. B. 129.

BILLS ON THIRD READING

LEGISLATIVE BILL 166. Mr. Carmody moved to replace the bill on Select File for the following specific amendment:

Amend the bill by adding a new subdivision to Sec. 8 as follows:

No. 5. The Council shall be empowered to receive, investigate, consider and recommend, projects, plans, and proposals for orderly and planned development, improvement, and extension of such public and private works as are related to soil and water resources, including surveys and tests of surface, sub-surface, ground and other water wherever found; to conduct examinations, studies, tests and estimates of costs relating to the conservation, storage, distribution and use of water; to prepare and compile all such information and data so obtained and make the same available to any and all local, state, or federal agencies, departments or subdivisions, irrigation, drainage, or power districts and to the general public, to cooperate in all water conservation work or activities, as may be necessary to effectuate a definite program or plan for the proper conservation, development and most beneficial utilization of the water resources of the state.

The motion prevailed with 27 ayes, 4 nays, 12 not voting.

SELECT FILE

LEGISLATIVE BILL 166. Mr. Carmody moved the adoption of his specific amendment, above set out.

The motion prevailed with 25 ayes, 4 nays, 14 not voting.

Referred to E and R for re-engrossment.

LEGISLATIVE BILL 434. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 269. E and R amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 351. E and R amendments, found in the Legislative Journal for the Seventy-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 429. E and R amendments, found in the Legislative Journal for the Seventy-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 355. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 433. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 386. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

MOTION—To Place at Top of Sifting File

Mr. Mischke moved that L. B. 129 be placed at the top of the Sifting File.

Mr. Asimus moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Mr. Klaver moved to raise the call.

The motion was lost with 18 ayes, 18 nays, 17 not voting.

Mr. Mischke moved to raise the call.

The motion prevailed with 25 ayes, 3 nays, 15 not voting.

The Mischke motion prevailed with 22 ayes, 17 nays, 4 not voting.

The Speaker ruled that L. B. 129 be placed on General File beneath L. B. 96.

MOTION—Not to Concur

Mr. President: I move that we do not concur in the action of the Committee on Public Health relative to L. B. 202, and that same be placed on General File.

(Signed) Garber.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Mr. Rakow moved to raise the call.

The motion was lost with 14 ayes, 6 nays, 23 not voting.

The Speaker declared the call raised.

The Garber motion was lost with 17 ayes, 6 nays, 20 not voting.

MOTION—To Amend Rules

Mr. President: I move that the rules be amended to read that under call of the House the members will remain in their seats.

(Signed) Doyle.

Mr. Raecke moved that the Doyle motion be referred to the Committee on Rules.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 96. Mr. Mischke moved that his amendment, found in the Legislative Journal for the Seventy-fifth Day, be adopted.

The motion was lost with 4 ayes, 18 nays, 21 not voting.

Visitor

Speaker Crosby introduced Captain Jack Price, a former member, who addressed the Legislature briefly.

Members Excused

Messrs. Foster, Cullingham and Tvrdik were excused.

GENERAL FILE (Continued)

Mr. Greenamyre offered the following amendments, which were adopted:

Amend section 39 of the Standing Committee amendments, by inserting after line 8, the following:

"All appropriations made for the University of Nebraska from the general fund are made upon the following conditions and limitations: (1) If, during the biennium ending June 30, 1945, the Board of Regents shall discontinue, for any cause, any college, department, division, branch or activity, or major part thereof, resulting in a saving of funds which are not required for the general operation and maintenance of the University of Nebraska, such funds so saved shall not be expended, but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature; and (2) If, during the biennium ending June 30, 1945, the University of Nebraska shall receive, from the United States government or any other source, for training or facilities furnished in connection with furtherance of the prosecution of the war in which the United States government is now engaged, any sums of money over and above the actual cost of such training or facilities furnished, such monies shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature."

Amend section 38 of the Standing Committee amendments by adding after line 54, the following:

"The appropriation made for the Wayne State Normal School from the general fund is made upon the following conditions and limitations: (1) If, during the biennium ending June 30, 1945, the Board of Education of State Normal Schools shall discontinue, for any cause, any department, division, branch or activity, or major part thereof, resulting in a saving of funds which are not required for the general operation and maintenance of such normal school, such funds so saved shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature; and (2) If, during the biennium ending June 30, 1945, the Wayne State Normal School shall receive, from the United States government or any other source, for training or facilities furnished in connection with furtherance of the prosecution of the war in which the United States government is now engaged, any sums of money over and above the actual cost of such training or facilities furnished, such monies shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature."

Amend section 38 of the Standing Committee amendments by adding after line 19, the following:

"The appropriation made for the Kearney State Normal School from the general fund is made upon the following conditions and limitations: (1) If, during the biennium ending June 30, 1945, the Board of Education of State Normal Schools shall discontinue, for any cause, any department, division, branch or activity, or major part thereof, resulting in a saving of funds which are not required for the general operation and maintenance of such normal school, such funds so saved shall not be expended, but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature; and (2) If, during the biennium ending June 30, 1945, the Kearney State Normal School shall receive, from the United States government or any other source, for training or facilities furnished in connection with furtherance of the prosecution of the war in which the United States government is now engaged, any sums of money over and above the actual cost of such training or facilities furnished, such monies shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature."

Amend section 38 of the Standing Committee amendments by adding after line 40, the following:

"The appropriations made for the Peru State Normal School from the general fund is made upon the following conditions and limitations:

(1) If, during the biennium ending June 30, 1945, the Board of Education of State Normal Schools shall discontinue, for any cause, any department, division, branch or activity, or major part thereof, resulting in a saving of funds which are not required for the general operation and maintenance of such normal school, such funds so saved shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature; and (2) If, during the biennium ending June 30, 1945, the Peru State Normal School shall receive, from the United States government or any other source, for training or facilities furnished in connection with furtherance of the prosecution of the war in which the United States government is now engaged, any sums of money over and above the actual cost of such training or facilities furnished, such monies shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature."

Amend section 38 of the Standing Committee amendments, by adding after line 4, the following:

"The appropriation made for the Chadron State Normal School from the general fund is made upon the following conditions and limitations: (1) If, during the biennium ending June 30, 1945, the Board of Education of State Normal Schools shall discontinue, for any cause, any department, division, branch or activity, or major part thereof, resulting in a saving of funds which are not required for the general operation and maintenance of such normal school, such funds so saved shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature; and (2) If, during the biennium ending June 30, 1945, the Chadron State Normal School shall receive, from the United States government or any other source, for training or facilities furnished in connection with furtherance of the prosecution of the war in which the United States government is now engaged, any sums of money over and above the actual cost of such training or facilities furnished, such monies shall not be expended but shall be kept and remain intact, and shall be reported to the next regular session of the Legislature."

Recess

At 12:02 p.m. on motion by Mr. Osborne, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m. Speaker Crosby presiding.

The roll was called and all members were present except Mr. Foster, who was excused.

MOTION—Adjournment

Mr. Jeffords moved that the Legislature stay in session until 5:30 p.m. and then adjourn until 9:00 a.m., April 29, 1943.

Mr. Osborne moved to amend the Jeffords motion to recess at 5:30 p.m. until 7:30 p.m.

The Osborne motion was lost with 12 ayes, 18 nays, 13 not voting.

The Jeffords motion prevailed with 22 ayes, 4 nays, 17 not voting.

REQUEST—For Unanimous Consent

Mr. Mueller asked that unanimous consent be granted to consider L. B. 96 on General File at once.

No objection offered. So ordered.

GENERAL FILE

Mr. Sorrell Presiding

LEGISLATIVE BILL 96. Mr. Greenamyre moved to refer to E and R for review.

Mr. Mischke offered an amendment which was lost with 8 ayes, 18 nays, 17 not voting.

Mr. Doyle offered an amendment which was lost with 16 ayes, 16 nays, 11 not voting.

Mr. Greenamyre's motion prevailed.

Referred to E and R for review.

LEGISLATIVE BILL 95. Referred to E and R for review.

RESOLUTIONS

LEGISLATIVE RESOLUTION 29. Cash Fees in State Departments

Introduced by Committee on Appropriations, H. G. Greenamyre, Chairman

WHEREAS, it has been the practice for many years for the various departments and agencies of the state, that collect cash fees, to have the Legislature appropriate and reappropriate the same for use of such departments and agencies, and

WHEREAS, such practice has led to the impression by many of such departments and agencies that they should be permitted to spend the amount of such fees so collected and received by such departments and agencies irrespective of the actual needs in the exercise of good government.

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That after the adjournment of this session of the Legislature, the Legislative Council be directed to make a study of the advisability of crediting all cash fees, when received by any department or agency, to the general fund of the state, and having the Legislature make appropriations in specific amounts from the general fund for the use of such departments and agencies, and to recommend whether economy and efficiency in government will be promoted by departing from the present method of appropriating cash fees and adopting a system whereby the Legislature determines and budgets in advance the exact amount that may be expended by any department or agency during the succeeding biennium.

2. That the Legislative Council report the results of its investigation and study to the next regular session of the Legislature.

Mr. Greenamyre moved to suspend the rules and consider Legislative Resolution 29 at once.

The motion prevailed with 35 ayes, no nays, 8 not voting.

Mr. Greenamyre moved that the resolution be adopted.

The motion prevailed with 35 ayes, no nays, 8 not voting.

LEGISLATIVE RESOLUTION 30. Transfer of Historical Materials

Introduced by Committee on Appropriations, H. G. Greenamyre, Chairman

WHEREAS, there is stored on the twelfth floor of the Capitol valuable historical articles and materials of the Grand Army of the Republic which should be deposited with and placed in the custody and control of the State Historical Society for safekeeping and preservation;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the custodian of the Capitol be authorized and directed to take the articles and materials of the Grand Army of the Republic which are stored on the twelfth floor of the Capitol, and deliver same into the care and custody of the secretary of the State Historical Society for safekeeping and preservation.

Mr. Greenamyre moved to suspend the rules and consider Legislative Resolution 30 at once.

The motion prevailed with 34 ayes, no nays, 9 not voting.

Mr. Greenamyre moved that the resolution be adopted.

The motion prevailed with 36 ayes, no nays, 7 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 101. Mr. Doyle offered the following amendment, which was adopted:

1. Amend page 11 of the bill, by inserting after section "7", a new section to be numbered "8", and reading as follows:

"Sec. 8. **At all conventions held under this act, each delegate thereto shall be entitled to register his individual vote, and it shall be unlawful to attempt to bind any delegate by any party or convention rules requiring the delegates from any political subdivision to such convention to vote as a unit."**

2. Amend page 11, by striking the section number to present section "8", and inserting in lieu thereof the figure "9".

Mr. Peterson offered the following amendments, which were adopted:

1. Amend page 3 of the bill, section 3, line 5, by striking the word "On" and inserting in lieu thereof the words: **"Not later than".**

2. Amend page 8 of the bill, section 6, line 49, by striking the word **"one"** and inserting in lieu thereof the word: **"two".**

Mr. James H. Anderson moved to refer to E and R for review.

Record vote was requested.

Voting in the affirmative, 28:

Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Hanna
Hubka
Klaver
Lee
Mekota
Mischke
Ogden
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 4:

Carmody
Neubauer
Osborne
Weborg

Not voting, 11:

Anderson, D. S.
Asimus
Craven
Foster
Heiliger
Jeffords
Jeppesen
Matzke
Mueller
Norman
Reavis

The motion prevailed.

LEGISLATIVE BILL 145. Read and considered.

Mr. Gantz offered the following amendment, which was adopted:

Amend Standing Committee amendment, L. B. 145, Section 1, line 6, by striking "(w)" and inserting in lieu thereof "(2)".

Standing Committee amendments, found in the Legislative Journal for the Fiftieth Day, were adopted.

Mr. Lee offered the following amendments:

FIRST: Amend the Title of the Bill by striking out the period at the end of the title and inserting in lieu thereof a comma, and the words: "and to enact into law the rules approved, as promulgated or as amended, herein: and to amend Sec. 20-804 of the Compiled Statutes of Nebraska for 1929, relating to petition for relief and to repeal Secs. 20-804, 20-2222, 20-321, 20-526, 20,1247, 20-1127, 20-1142, 20-1143, 20-1145, 20-1093, 20-1094, 20-10,102, 20-10,106; of the Compiled Statutes of Nebraska for 1929; and Secs. 27-231, 27-232, 27-233, 27-234, 27-235, 27-236, and 27-237, Cumulative Supplement to Laws of Nebraska for 1941, being Chapter 30 of the Session Laws of Nebraska 1939, and all other acts or parts of acts in conflict herewith; and to reject and disapprove all Rules so promulgated except such as are duly enacted into Law herein."

SECOND: To amend the printed Bill by striking out all of said bill after the enacting clause, and inserting in lieu thereof, the following:

(RULE NO. 6—REVISION NO. 25-441—Old No. 20-2222.)

SEC. 1. (TIME: COMPUTATION:) In computing any period of time prescribed or allowed by this Code, by order of Court, or by any applicable statute, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Sundays and legal holidays shall be excluded in the computation. **In no case shall the termination of the term of court diminish the period of time so prescribed or allowed.**

(RULE NO. 7—REVISION NO. 25-504—Old No. 20-804.)

SEC. 2. That Section 20-804 of the Compiled Statutes of Nebraska for 1929 be amended to read as follows: (PETITION: CONTENTS.) The Petition must contain: First, the name of the court and county in which the action is brought, and the names of the parties, plaintiff and defendant; Second, a statement of the facts constituting the cause of action, in ordinary and concise language, and without repetition; Third, a demand of the relief to which the party supposes himself entitled. If the recovery of money be demanded, the amount thereof shall be stated; and if interest thereon be claimed, the time from which interest is to be computed shall also be stated. **Relief in the alternative or of several different types may be demanded.**

(RULE NO. 12—Revised Nos. omitted, 25-528-529-530-531-532-533-534-535:)

SEC. 3. **Whenever a motion to strike, a motion to make more definite and certain, a demurrer, or special appearance is overruled, a further pleading must be filed within five (5) days of the entry of the order overruling said pleading unless an extension of time for good cause shown is obtained from the Court. The Court shall rule on all motions, demurrers, and special appearances within ten (10) days after submission unless an additional time is agreed upon by all parties.**

(RULE NO. 13 (a)—REVISION NO. 25-537.)

SEC. 4. (COMPULSORY COUNTERCLAIMS.) A pleading shall state as a counterclaim, any claim, not the subject of a pending action, which at the time of filing the pleading the pleader has against any opposing party, if it arises out of the transaction or occurrence that is the subject matter of the opposing party's claim and does not require for its adjudication the presence of third parties of whom the court cannot acquire jurisdiction. If the defendant omit to set up such counterclaim, he cannot recover costs against the plaintiff in any subsequent action thereon.

(RULE NO. 14 (a)—REVISION NO. 25-548)

SEC. 5. (WHEN DEFENDANT MAY BRING IN THIRD PARTY.) Before the ~~service~~ **filing** of his answer a defendant may move ex parte or, after the ~~service~~ **filing** of his answer, on notice to the plaintiff, for leave as a third-party plaintiff to serve a summons and complaint upon a person not a party to the action who is or may be liable to the plaintiff on the original cause of action for all or part of the plaintiff's claim against him. If the motion is granted and the summons and complaint are served, the person so served, hereinafter called the third-party defendant, shall make his defenses ~~as provided in secs. 25-528, to 25-535~~ and his counterclaims and cross-claims against the plaintiff, the third-party plaintiff, or any other party as provided in ~~secs. 25-537 to 25-545,~~ **by law for original defendants.** The third-party defendant may assert any defenses which the third-party plaintiff has to the plaintiff's claim. The third-party defendant is bound by the adjudication of the third-party plaintiff's liability to the plaintiff, as well as of his own to the plaintiff or to the third party plaintiff. The plaintiff may amend his pleadings to assert against the third party defendant any claim which the plaintiff might have asserted against the third-party defendant had he been joined originally as a defendant. A third-party defendant may proceed under this section against any person not a party to the action who is or may be liable to the plaintiff on the original cause of action for all or part of the claim made in the action against the third-party defendant.

(RULE NO. 14 (b)—REVISION No. 25-549.)

SEC. 6. (WHEN PLAINTIFF MAY BRING IN THIRD PARTY.) When a counterclaim is asserted against a plaintiff, he may cause a third party to be brought in under circumstances which under sec. 25-548 would entitle a defendant to do so.

(RULE NO. 17 (c)—REVISION NO. 25-614—Old No. 20-321.)

SEC. 7. (UNKNOWN DEFENDANTS.) When the plaintiff shall be ignorant of the defendant, such defendant may be designated in any pleading or proceeding by any name, or any name and description, followed by the words, "real name unknown." In any such case the person intended shall thereupon be regarded as a defendant in such action or proceeding and as sufficiently identified therein for all purposes, including service of summons or constructive service when authorized and as prescribed by this Code. In any action wherein the subject matter is as described in the first or fourth subdivisions of section 25-421 **20-517 Compiled Statutes of Nebraska, 1929,** wherein it is alleged in the petition or other pleading that there are persons who claim or appear to have some interest in, right, or title to, or lien upon any real or personal property within this state involved in such action, and that the ownership or interest in, right or title to, or lien upon such property of such persons does not appear of record in or by their respective names, in the county wherein such property is situated, and that the plaintiff or persons in whose behalf such allegations, are made, after diligent investigation and inquiry, is unable to ascertain and does not know the names or whereabouts, if in this state, or the residence of such persons, such action may proceed against all such persons designated as "all persons having or claiming any interest in" such property, which shall be accurately and definitely described, followed by the words, "real names unknown," and defendants so designated may be served by publication when the affidavit provided for in section 25-422 **20-518 Compiled Statutes of Nebraska, 1929,** has been filed. Judgments and decrees against persons so designated and made defendants, and served by publication as herein provided shall be conclusive as against all persons who are not in actual possession of such property, and whose ownership of, interest in, right or title to, or lien upon such property does not appear of record in or by their respective names, in the county wherein such property is situated.

(RULE NO. 17 (d)—REVISION NO. 25-615—Old No. 20-526.)

SEC. 8. (UNKNOWN HEIRS.) In all actions wherein the subject matter is as described in the first or fourth subdivisions of section 25-421 **20-517, Compiled Statutes of Nebraska, 1929,** wherein it is alleged in the petition or other pleading that a person named is deceased, and that the plaintiff or person in whose behalf such allegations are made, after diligent investigation and inquiry, is unable to ascertain and does not know the names, residence, place of abode or whereabouts of the heirs, devisees, legatees, personal representatives, or other persons interested in the estate of such named person, deceased, said action may proceed against "the heirs, devisees, legatees, personal representatives, and all other persons interested in the estate of" such named person deceased, "real names unknown," by such designation. Defendants designated as hereinabove provided may be served by publication when the affidavit provided for in section 25-423 **20-518 Compiled Statutes of Nebraska, 1929,** has been filed. Judgments and decrees against persons so designated and made defendants and served by publication as herein provided shall be conclusive against all persons falling within the description of heirs, devisees, legatees, personal representatives or other persons interested in the estate of such named deceased person.

(RULE NO. 50 (a)—REVISION NO. 25-830).

SEC. 9. (MOTION FOR DIRECTED VERDICT: EFFECT.) A party who moves for a directed verdict at the close of the evidence offered by an opponent may offer evidence in the event that the motion is not granted, without having reserved the right so to do and to the same extent as if the motion had not been made. A motion for a directed verdict which is not granted is not a waiver of trial by jury unless all parties to the action have moved for directed verdicts at the close of all the evidence. A motion for a directed verdict shall state the specific grounds therefor.

(RULE NO. 50 (b-1)—REVISION NO. 25-831.)

SEC. 10. (MOTION FOR DIRECTED VERDICT: RESERVATION OF DECISION.) Whenever a motion for a directed verdict made at the close of all the evidence is denied, or for any reason is not granted, the Court is deemed to have submitted the action to the jury subject to a later determination of the legal questions raised by the motion. Within ten days after the reception of a verdict, a party who has moved for a directed verdict may move to have the verdict and any judgment entered thereon set aside and to have judgment entered in accordance with his motion for a directed verdict; or if a verdict was not returned, such party, within ten days after the jury has been discharged, may move for judgment in accordance with his motion for a directed verdict. A motion for a new trial may be joined with this motion, or a new trial may be prayed for in the alternative. If a verdict was returned the Court may allow the judgment to stand or may reopen the judgment and either order a new trial or direct the entry of judgment as if the requested verdict had been directed. If no verdict was returned the court may direct the entry of judgment as if the requested verdict had been directed or may order a new trial.

(RULE NO. 50 (b)—(2).—REVISION NO. 25-832.)

SEC. 11. (JUDGMENT ON MOTION FOR DIRECTED VERDICT: ORDER ON MOTION FOR NEW TRIAL: APPEALS.) An order entering judgment as provided in section ~~25-831~~ **10**, or granting or denying a new trial, is an appealable order. The Supreme Court on appeal from an order granting a new trial, or upon a review of an order denying a new trial in the action in which such motion was made, or on appeal from the judgment, may order and direct judgment to be entered in favor of the party who was entitled to such judgment, whenever it shall appear from the evidence that the party was entitled thereto.

(RULE NO. 52 (a)—REVISION NO. 25-844—Old No. 20-1127.)

SEC. 12. (FINDING BY THE COURT: EFFECT.) In all actions tried upon the facts without a jury; the Court shall find the facts specially and state separately its conclusions of law thereon and direct the entry of the appropriate judgment; and in granting or refusing interlocutory injunctions the Court shall similarly set forth the findings of fact and conclusions of law which constitute the grounds of its action. Requests for findings are not necessary for purpose of review. On appeal, findings of fact shall be considered with due regard to the opportunity of the trial court to judge of the credibility of the witnesses. The findings of a master, to the extent that the Court adopts them shall be considered as the findings of the Court.

(RULE NO. 52 (b)—REVISION NO. 25-845.)

SEC. 13. (FINDINGS BY THE COURT: AMENDMENT.) Upon motion of a party made not later than ten days after entry of judgment ~~as defined in section 25-1020~~ the Court may amend its findings or make additional findings and may amend the judgment accordingly. The motion may be made with a motion for a new trial ~~pursuant to sections~~

~~25-1073 to 25-1078.~~ Nothing herein contained shall be construed to supersede the power of the Court on its own motion to vacate or change its own judgment at the term at which it was entered. When findings of fact are made in actions tried by the court without a jury, the question of the sufficiency of the evidence to support the findings may thereafter be raised, whether or not the party raising the question has made in the district court an objection to such findings or has made a motion to amend them or a motion for judgment.

(RULE NO. 56 (a)—REVISION NO. 25-1009.)

SEC. 14. (SUMMARY JUDGMENT: FOR CLAIMANT.) A party seeking to recover upon a claim, counterclaim, or crossclaim, or to obtain a declaratory judgment may, at any time after the pleading in answer thereto has been ~~served~~ **filed**, move for a summary judgment in his favor upon all or any part thereof.

(RULE NO. 56 (b)—REVISION NO. 25-1010.)

SEC. 15. (SUMMARY JUDGMENT: FOR DEFENDING PARTY.) A party against whom a claim, counterclaim, or crossclaim, is asserted or a declaratory judgment is sought may, at any time, move for a summary judgment in his favor as to all or any part thereof.

(RULE NO. 56 (c)—REVISION NO. 25-1011.)

SEC. 16. (SUMMARY JUDGMENT: MOTION AND PROCEEDINGS.) The motion shall be ~~served~~ **filed** at least ten days before the time specified for the hearing. The judgment sought shall be rendered forthwith if the pleadings and admissions on file, if any, show that, except as to the amount of damages, there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.

(RULE NO. 56 (d)—REVISION NO. 25-1012.)

SEC. 17. (SUMMARY JUDGMENT: CASE NOT FULLY ADJUDICATED ON MOTION.) If on motion, ~~under sections 25-1009 to 25-1011,~~ judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the Court, at the hearing of the motion, by examining the pleadings and admissions before it, shall if practicable ascertain what material facts exist without substantial controversy and what material facts are actually and in good faith controverted. It shall thereupon make an order specifying the facts that appear without substantial controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings in the action as are just. Upon the trial of the action, the facts so specified shall be deemed established and the trial shall be conducted accordingly.

(RULE NO. 59 (a)—REVISION NO. 25-1073—Old No. 20-1142.)

SEC. 18. ("NEW TRIAL"; DEFINED: GROUNDS: POWER OF COURT UPON MOTION FOR NEW TRIAL.) A "new trial" is a reexamination in the same court of an issue of fact after a verdict by a jury, report of a referee, or a decision by the Court. The former verdict, report or decision shall be vacated and a new trial granted on the application of a party aggrieved, for any of the following causes, affecting materially the substantial rights of such party; (1) Irregularity in the proceedings of the court, jury, referee, or prevailing party, or any order of the court or referee, or abuse of discretion, by which the party was prevented from having a fair trial; (2) Misconduct of the jury or prevailing party; (3) Accident or surprise, which ordinary prudence could not have guarded against; (4) Excessive or inadequate damages, appearing to have been given under the influence of passion or prejudice; (5) Error in the assessment of the amount of recovery, whether too large or too small, where the action is a contract, or for the injury or detention of property; (6) That the verdict, report, or decision is not sustained by sufficient evidence, or is contrary to law; (7) Newly discovered evidence, material for the party applying, which he could not, with reasonable diligence, have discovered and produced at the trial; (8) Error of law occurring at the trial over objection; and (9) Error occurring in the giving or refusing of any instruction to the jury; **Provided, However,** that the grounds of error in giving or refusing of any instruction to a jury, shall be specified in the motion for a new trial, and if not so specified, shall not be considered by the trial court or by the supreme court on appeal, except to prevent manifest injustice. On motion for a new trial in an action tried without a jury, the Court may open the judgment if one has been entered, take additional testimony, amend findings of fact and conclusions of law, or make new findings and conclusions, and direct the entry of a new judgment.

RULE NO. 59 (b)—REVISION NO. 25-1074—Old No. 20-1143 and 20-1145.)

SEC. 19. (NEW TRIAL: TIME FOR MOTION.) A motion for a new trial shall be ~~served~~ **filed** not later than ten days after the rendition of the judgment, except that a motion for a new trial on the ground of newly discovered evidence may be made after the expiration of such period and before the expiration of the time for appeal, with leave of court obtained on notice and hearing and on a showing of due diligence.

(RULE NO. 59 (c)—REVISION NO. 26-1075.)

SEC. 20. (NEW TRIAL: TIME FOR ~~SERVING~~ **FILING** AFFIDAVITS.) When a motion for new trial is based upon affidavits they shall be ~~served~~ **filed** with the motion. The opposing party has ten days after such ~~service~~ **filing** within which to ~~serve~~ **file** opposing affidavits, which period may be extended for an additional period not exceeding twenty days either by the court for good cause shown or by the parties by written stipulation. The Court may permit reply affidavits.

(RULE NO. 59 (d)—REVISION NO. 25-1076.)

SEC. 21. (NEW TRIAL: ON INITIATIVE OF COURT.) Not later than ten days after rendition of judgment the Court of its own initiative may order a new trial for any reason for which it might have granted a new trial on motion of a party, and in the order shall specify the grounds therefor.

(RULE NO. 59 (e)—REVISION NO. 25-1078.)

SEC. 22. (ORDER GRANTING NEW TRIAL.) The Judge shall make and file the order granting or denying a new trial within forty days after the submission of the motion or application therefor, and shall in its order specify each and every ground upon which it bases such order; all grounds urged upon such motion and not specified in the order shall be deemed to have been overruled by the trial court.

(RULE NO. 63—REVISION NO. 25-1047.)

SEC. 23. (DISABILITY OF JUDGE.) If by reason of death, sickness, or other disability, a judge before whom an action has been tried, is unable to perform the duties to be performed by the court under this Chapter after a verdict is returned or findings of fact and conclusions of law are filed, then any other judge regularly sitting in or assigned to the court in which the action was tried may perform those duties; but if such other judge is satisfied that he cannot perform those duties because he did not preside at the trial or for any other reason, he may in his discretion grant a new trial.

(RULE NO. 80—REVISION NO. 25-1722.)

SEC. 24. (STENOGRAPHIC REPORT OR TRANSCRIPT AS EVIDENCE.) Whenever the testimony of a witness at a trial or hearing which was officially reported stenographically is admissible in evidence at a later trial, it may be proved by the transcript thereof duly certified by the person who reported the testimony.

(RULE NO. 64 (a)—REVISION NO. 25-1397—Old No. 20-1093.)

SEC. 25. (REPLEVIN: DELIVERY OF PROPERTY.) The plaintiff in an action to recover the possession of specific personal property may, at the commencement of the suit, or any time before answer, or thereafter, by leave of court, claim the immediate delivery of such property as provided by sections 25-1398 to 25-13,115 herein.

(RULE NO. 64 (b)--REVISION NO. 25-1398—Old No. 20-1094.)

SEC. 26. (REPLEVIN: AFFIDAVIT.) An order for the delivery of personal property to the plaintiff shall be made by the Judge or Clerk of the court in which the action is brought, when there shall be filed in his office an affidavit of the plaintiff, his agent, or attorney, showing (1) a description of the property claimed; (2) that the plaintiff is the owner of the property, or has a special ownership or interest therein, stating the facts in relation thereto, and that he is entitled to the immediate possession of the same; and (3) that the property is wrongfully detained by the defendant.

(RULE NO. 64 (c) (1)—REVISION NO. 25-13,106—Old No. 20-10,102.)

SEC. 27. (REPLEVIN: JUDGMENT AGAINST PLAINTIFF UPON MOTION: FAILURE OF PLAINTIFF TO PROSECUTE: PROCEDURE.) If the property has been delivered to the plaintiff, and the judgment rendered against him on motion, or if he otherwise fails to prosecute his action to final judgment, the court shall, on application of the defendant or his attorney, inquire into the right of property and the right of possession of the refendant to the property taken. If the court is satisfied that the property was the property of the defendant at the commencement of the action, or that the defendant was entitled to the possession only of such property at that time, then, in either case, the court shall assess such damages for the defendant as are right and proper, and shall render judgment for the return of the property, or the value thereof if return cannot be made, and cost of suit.

RULE NO. 64 (c) (2)—REVISION NO. 25-13,110.—Old No. 20-10,106.)

SEC. 28. (REPLEVIN: PROPERTY NOT TAKEN: OR RETURNED TO DEFENDANT: JUDGMENT FOR PLAINTIFF: NATURE AND AMOUNT.) When the property claimed has not been taken or has been returned to the defendant by the sheriff, the action may proceed for the purpose of determining the existence of the grounds for the action, as required to be set forth in the affidavit of replevin, and the value of plaintiff's interest in the property, or the value of the possession of same, and the damages for withholding said property. If the judgment is for the plaintiff, it shall be for possession of the property or for the value thereof, if possession cannot be obtained, and for damages for withholding said property.

(RULE NO. 64 (c) (3)—REVISION NO. 25-13,111.)

SEC. 29. (REPLEVIN: CONCEALMENT OF PROPERTY: DISCOVERY: POWER OF COURT TO COMPEL: PROCEDURE.) If before or after judgment it shall be made to appear to the satisfaction of the Court by the affidavit of plaintiff, or otherwise, that the defendant, or any other person, conceals the property sought to be recovered or, having control thereof, refuses to deliver the same to the officer, the defendant or such other person who concealed said property or refuses to deliver the same to the officer may be subpoenaed to appear before the court and be examined concerning the whereabouts of the property, and if he fails or refuses to make a complete disclosure, he may be dealt with as for contempt.

SEC. 30. That secs. 20-804, 20-2222, 20-321, 20-526, 20-1247, 20-1127, 20-1142, 20-1143, 20-1145, 20-1093, 20-1094, 20-10,102 and 20-10,106 of the Compiled Statutes of Nebraska for 1929; and Secs. 27-231, 27-232, 27-233, 27-234, 27-235, 27-236 and 27-237, Cumulative Supplement to Laws of Nebraska for 1941, being Chap. 30 of the Session laws of Nebraska for 1939; and all other acts or parts of acts in conflict herewith; and to reject and disapprove all Rules promulgated to this Legislature by the Supreme Court except such as are duly enacted into Law herein.

STANDING COMMITTEE REPORTS

Rules

Mr. President: Your Committee on Rules in regular session recommend the adoption of the following amendments to the rules of the Legislature:

Amend Rule 10, Section 8, Line 4, by striking the period after the word "system" and insert in lieu thereof a comma and add the following words: "and shall remain in his seat during the call." That Rule 13, Section 5, Subdivision D be stricken and insert in lieu thereof the following: "At any time during consideration of bills on either general or select file, any member may move that the bill be passed over, and if the motion is carried by a majority of those voting the bill shall be passed over and shall retain its place on the file. This motion shall have the same precedence as to lay on the table.

(Signed) Sorrell, Chairman

Mr. Crosby moved that the report be adopted.

The motion prevailed with 27 ayes, no nays, 16 not voting.

Enrollment and Review

LEGISLATIVE BILL 223. Placed on Select File with amendments.

E and R amendments to L. B. 223:

1. Amend Standing Committee Amendment No. 1, inserted matter, by inserting a comma after the quotation mark and before "referred", also after "sections" and before the quotation mark.

2. Amend Standing Committee Amendment No. 4, inserted matter, 4th line, by striking the comma after "deceased"; 7th line, strike the word "or" before "any claim" and strike the comma after "demand".

3. In the bill, Section 1, page 2, line 3, strike the word "be" before "not" and in lieu thereof insert the word "is" ; line 9, strike the comma after "therewith", and strike: "with the clerk of the court" and in lieu thereof, insert: "in the county court of the county"; line 11, strike the word "to" after "or" and before "answer" .

LEGISLATIVE BILL 191. Placed on Select File with amendments.

E and R amendments to L. B. 191:

1. In Standing Committee Amendment No. 1, second line of the inserted matter, strike: "in carrying out and executing" and in lieu thereof insert: "to carry out and execute".

2. In the bill, Section 1, page 2, insert a comma in line 3 after "county" and before "such", and in line 4 after "determine" .

3. In the bill, title, page 1, insert a comma in the 5th line, after "county"; 6th line, strike the word "assist" and in lieu thereof insert "enable"; strike: "in carrying out" in the 7th line, and all of the 8th line except the semicolon at the end thereof (inserted by Standing Committee amendment No. 2) and in lieu thereof, insert: ", designated in this act, to carry out and execute the civilian defense program and in the promotion, protection and preservation of the public health and safety within such county" .

LEGISLATIVE BILL 166. Replaced on Select File with amendments.

E and R amendments to L. B. 166:

In specific amendment by Mr. Carmody, adopted April 28, strike: "No. 5." at the beginning of the insertion, and in lieu thereof, insert: "(5)" ; strike the comma in the 2nd line after "recommend" also after "plans", in the 3rd line after "improvement", in the 10th line after "drainage" and at the end of the 9th line after "state"; 11th line, strike the comma after "general public" and in lieu thereof insert a semicolon; 12th line, strike: ", as may be".

LEGISLATIVE BILL 246. Placed on Select File with amendments.

E and R amendments to L. B. 246:

1. In the bill, Section 1, page 2, strike "**one-**" at the end of line 5 and in lieu thereof insert "**one**"; strike: "also in" at the end of line 6, and in lieu thereof insert: "also in"; line 7, strike the word "of" before "no" and in lieu thereof insert: "cf"; line 10, strike the comma after "Provided" and in lieu thereof insert ","; strike: "; Provided **and**" at the end of line 12, all of line 13, and "act shall apply to fancy breads." in line 14, and in lieu thereof, insert "." ; at the end of line 18, insert: "Provided that none **None** of the provisions of this act shall apply to fancy breads." ; insert the punctuation "," in line 8 after "baked" and in line 15 after "**bread**".

2. In the bill, title, page 1, 5th line, strike: "on the wrapper"; 6th line, strike the semicolon after "loaf" and in lieu thereof, insert: "on the wrapper thereof;".

LEGISLATIVE BILL 239. Placed on Select File with amendments.

E and R amendments to L. B. 239:

1. In the bill, Section 1, page 2, line 3, strike the comma after "depositor"; strike the word "and" at the beginning of line 5 and in lieu thereof insert a comma; line 6, after the word "which", insert: "such check or draft is"; line 7, strike the comma after "certification"; line 8, strike: "the bank upon which drawn" and in lieu thereof, insert: "said bank"; line 12, after the word "by" and before "service" insert the word "or"; insert a comma at the end of line 1 after "order", in line 5 after "draft", line 6 after "bank" and also after "drawn".

2. In the bill, title, page 1, strike all of the title after the word "banking" in the second line, and in lieu thereof, insert: "; providing

that revocations, countermands and stop orders relating to the payment of any check or draft against an account of a depositor in any bank in this state shall be by a written notice, before the presentation of such check or draft for payment, certification or acceptance, to the bank upon which drawn; prescribing the contents of such notice; providing for renewal of such a notice; and fixing the time during which such notices and renewals thereof shall be effective.".

LEGISLATIVE BILL 417. Correctly engrossed.

Correctly enrolled

L. B. 60 L. B. 284 L. B. 303

(Signed) James H. Anderson, Chairman

Government

LEGISLATIVE RESOLUTION 22. Placed on General File.

(Signed) Doyle, Chairman

Adjournment

At 5:33 p. m. on motion by Mr. Norman the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 29, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Foster, who was excused.

The Journal for the Seventy-ninth Day was approved as corrected.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed

L. B. 303 L. B. 60 L. B. 284

SELECT FILE

LEGISLATIVE BILL 166. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, page 1166, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 22. Read and considered.

Mr. Greenamyre offered the following amendments, which were adopted:

1. Amend page 1 of the bill, by inserting a new section, to be numbered "3", reading as follows:

"Sec. 3. This act shall in no manner affect pending actions founded on or growing out of the statute repealed by this act. This act shall in no manner affect rights or causes of action, not in suit, that have already accrued or grown out of the statute repealed by this act."

2. Amend the title, line 11, by inserting after the punctuation following the word "premium" the following: "to provide a savings clause;".

Referred to E and R for review.

LEGISLATIVE BILL 337. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 365. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 387. Unanimous consent was granted to read only the new matter in the bill.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 314. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 244. Mr. Gutoski asked that unanimous consent be granted to waive reading the printed bill and to read instead the Standing Committee amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 50. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Gantz, as Chairman of the Judiciary Committee, offered the following amendments, which were adopted:

1. Amend pages 10 and 11 of the bill, section 25, lines 19 to 23, inclusive, by striking all of the first sentence of subparagraph (2) (d) and substituting the following in lieu thereof: "On the death of a partner, his right to specific partnership property vests in the surviving partner or partners who, in case there are more than one, continue to hold as tenants in partnership until the termination of the partnership, except where the deceased was the last surviving partner, when his right in such property vests in his legal representative."

2. Amend page 11 of the bill, section 25, by inserting immediately following line 29, the following:

"(f) Where the partnership is dissolved by the death of a partner and real property acquired and held in the partnership name is not conveyed in the winding up of the partnership affairs, or is not conveyed in order to provide a cash surplus in accordance with section 38 (1), then upon the termination of the partnership as provided in section 30, title to any such real property not theretofore conveyed by the partnership shall vest in the surviving partners and the heirs or devisees of any deceased partner or partners as tenants in common; Provided, however, that during the administration of the estate of any deceased partner the legal representative of the deceased partner, as between him and the heirs or devisees of the deceased partner, shall have the sole power to convey the interests of the heirs or devisees in any such real property, the interest of the deceased partner being deemed personal property in accordance with section 26 during such administration."

3. Amend page 14 of the bill, section 35, line 5, by inserting before the punctuation following the word "dissolution" the words: "including the conveyance of real property acquired and held in the partnership name".

4. Amend page 16 of the bill, section 37, line 5, by inserting before the punctuation following the word "affairs" the words: "including the conveyance of any real property of the partnership".

5. Amend page 16 of the bill, section 38, line 3, by inserting after the punctuation following the word "partner" the following: "and the legal representative of a deceased partner,".

6. Amend page 22 of the bill, section 44, line 1, by striking the word "All" and inserting in lieu thereof: "Section 30-503, Compiled Statutes of Nebraska, 1929, and all".

7. Amend the title, line 11, by inserting after the word "repeal" the following: "section 30-503, Compiled Statutes of Nebraska, 1929, and".

Referred to E and R for review.

LEGISLATIVE BILL 329. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 385. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 328. Read and considered.

Mr. Peterson offered the following amendments, which were adopted by unanimous consent:

Change the word "commissioner" in line 51 to "commission".

In line 9, strike the word "not" and insert in lieu thereof the word "no".

Referred to E and R for review.

LEGISLATIVE BILL 331. Read and considered.

Mr. Peterson offered the following amendments, which were adopted:

Amend Section 1 by striking therefrom the words "complaint from" in line 18, and all of lines 19, 20, 21 and 22; and substituting therefor the words and punctuation following: "child has been originally committed to the Board of Control or to any state institution as a delinquent child, and not as a dependent, neglected or defective child. Nothing herein contained shall affect the right of parole provided for in 43-210, Nebraska Compiled Statutes, 1929."

Amend the title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 321. Read and considered.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 1, line 1, by striking the word "All" and substituting in lieu thereof the words:

"In addition to any other levies authorized by law for such purpose, all".

2. Amend page 2 of the bill, line 6, by adding after the punctuation following the word "area" the following:

"For the purpose of this act, any area which is designated as a defense rental area or a defense housing area, or both, by the proper official or officials of the United States government, shall be considered a defense area".

Standing Committee amendments, found in the Legislative Journal for the Forty-seventh Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 309. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Forty-seventh Day, was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 195. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-eighth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 396. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 352. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fiftieth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 418. Mr. Neubauer asked unanimous consent to have only the new matter in the bill read.

No objection was offered. So ordered.

Mr. Brodahl offered the following amendments:

1. Amend page 2 of the bill, by adding two additional sections, numbered "2" and "3", reading as follows:

"Sec. 2. That section 2-1718, C. S. Supp., 1941, be amended to read as follows:

2-1718. No seed or grain screenings, or feed of any kind containing noxious weed seed shall be transported by any person over or along any highway in this state or by any railroad operating in this state, unless the same is carried or transported in such vehicles or containers as will prevent the leaking or scattering thereof; nor shall any seed or grain, screenings thereof, or any other material containing noxious weed seed be sold to persons, firms or corporations within this state, except when sold to such persons, firms or corporations for the purpose of such processing as will destroy the viability of all noxious weed seed present in such material. **No nursery stock, soil or sod, manures or fertilizers, fence posts, railroad ties, fencing or any other material or object which contains or is impregnated with noxious weed seed or such parts of the plant that could cause new growth, shall be removed from the premises upon which it is located, within this state, without removing or destroying such seed and plant parts.** In no instance shall material of any kind which is infested with noxious weed seed be sold as seed, nor as livestock feed, until it shall have been processed in the manner heretofore described. All common carriers shall thoroughly clean and destroy all offal and other refuse in cars, trucks, vehicles or other receptacles used by them after each load shall have been delivered to consignee before again placing such car, truck, vehicles or receptacles in service. **The Director of the Department of Agriculture and Inspection shall promulgate and publish such reasonable rules and regulations as are consistent with the purposes of this act to carry out the provisions of this and the preceding section."**

"Sec. 3. That section 2-1721, C. S. Supp., 1941, be amended to read as follows:

2-1721. Any person, firm or corporation, who violates any of the provisions of this ~~Act~~ **act, or any regulations lawfully promulgated by the Director of the Department of Agriculture and Inspection,** or who fails, refuses or neglects to perform any of the duties enjoined upon him by this ~~Act~~ **act**, for the violation of which a specific penalty is not provided in this ~~Act~~ **act**, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ~~Ten Dollars ($10.00)~~ **ten dollars** nor more than ~~Five Hundred Dollars ($500.00)~~ **five hundred dollars ; Provided, that a violation of the rules and regulations promulgated and published by the Director of the Department of Agriculture and Inspection shall be punishable only by the minimum penalty above provided."**

2. Amend page 3 of the bill, by striking all of present section 2, and inserting in lieu thereof the following:

"Sec. 4. That original sections 2-1712, 2-1718, and 2-1721, C. S. Supp., 1941, are repealed."

3. Amend the title, line 2, by inserting after the punctuation following the figures "2-1712" the following: "2-1718 and 2-1721,".

4. Amend the title, line 12, by inserting after the punctuation following the word "weeds" the following:

"to prohibit the removal of objects or materials which contain or are impregnated with noxious weeds; to provide penalties;".

5. Amend the title, line 13, by striking the word "section" and inserting in lieu thereof the word "sections".

Laid over until Monday, May 3. Retains place on File.

Mr. Greenamyre Presiding

LEGISLATIVE BILL 369. Read and considered.

Referred to E and R for review.

REQUEST—To Introduce Bill

Mr. Mueller asked that unanimous consent be granted to introduce a bill regarding the State Fair.

Mr. Mischke objected, unless the bill be introduced by a Committee.

Recess

At 11:48 a.m. on motion by Mr. Mueller the Legislature recessed until 2:30 p.m.

After Recess

The Legislature reconvened at 2:30 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Mr. D. S. Anderson and Mr. Foster who were excused.

Visitor

Mr. Gantz introduced Mr. Earl D. Mallery of Alliance, a former member, who addressed the Legislature briefly.

REQUEST—For Unanimous Consent

Mr. Mischke asked that unanimous consent be granted to consider bills on the non-controversial list until the members of the Committee on Appropriations returned.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 334. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 155. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 160. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-second Day, were adopted.

Referred to E and R for review.

REQUEST—For Unanimous Consent

Mr. Asimus asked for unanimous consent to consider L. B. 129 on Special File.

No objection was offered. So ordered.

MOTION—Final Adjournment

Mr. Mueller moved that the President appoint a committee of three to recommend a date and make arrangements for final adjournment of the Legislature.

Record vote was requested.

Voting in the affirmative, 19:

Anderson, James H.
Carmody
Doyle
Gantz
Greenamyre
Hanna
Jeffords
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 16:

Bowman
Brodahl
Burnham
Conklin
Crossland
Cullingham
Dooley
Garber
Gutoski
Heiliger
Jeppesen
Klaver
Mekota
Osborne
Peterson
Raecke

Not voting, 8:

Anderson, D. S.
Asimus
Craven
Crosby
Foster
Hubka
Lee
Sorrell

The motion prevailed and the Speaker appointed the following members to serve on said committee:

Mueller
Raecke
Mischke

GENERAL FILE, (Continued)

LEGISLATIVE BILL 129. Mr. Mischke asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Asimus' amendment, referred from L. B. 60 on March 18, 1943, was read and considered.

Mr. Lee offered the following amendments:

Amend the Asimus amendment as follows:

1. Strike all of amendment 1 within the quotation marks after the punctuation following the word "census" and insert the following in lieu thereof:

"(b) Forty-five per cent of the total fund for distribution to the counties shall be distributed among the various counties in the proportion that the population outside of cities and incorporated villages of each county bears to the entire population outside of cities and incorporated villages of the state, as shown by the last United States government census; and (c) Forty-five per cent of the total fund for distribution shall be distributed among the various counties in the proportion that the total motor vehicle registration of each county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year."

2. Strike all of amendment 3, within quotation marks after the word, punctuation and figure "subdivision (2b)" and insert the following: **"and (2c) above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration, shall".**

3. Strike all of amendment 4 within quotation marks after the word, punctuation and figure "subdivision (2b)" and insert the following in lieu thereof:

"and (2c) above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration, shall be credited to either the county road fund or the county bridge fund, as the county board by resolution entered on its records may direct, with the privilege on the part of the county board at any time during the calendar year in which such money is received to transfer all or any part thereof from one fund to the other as need may arise; and (d) the remaining five-ninths of the shares provided by subdivisions (2b) and (2c) above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration, shall".

Mr. Greenamyre Presiding

After discussion Mr. Hanna moved the previous question.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Record vote was requested on the Lee amendments.

Voting in the affirmative, 22:

Anderson, James H.
Bowman
Brodahl
Craven
Crosby
Cullingham
Dooley
Doyle
Gantz
Gutoski
Hanna
Hubka
Klaver
Lee
Mekota
Mischke
Mueller
Norman
Peterson
Raecke
Reavis
Tvrdik

Voting in the negative, 14:

Asimus
Carmody
Conklin
Crossland
Garber
Jeffords
Jeppesen
Matzke
Neubauer
Rakow
Sorrell
Thomas
Thompson
Weborg

Not voting, 7:

Anderson, D. S.
Burnham
Foster
Greenamyre
Heiliger
Ogden
Osborne

The Lee amendments were adopted.

The Asimus amendment, first offered on L. B. 60 and found in the Legislative Journal for the Forty-eighth Day, as amended by the Lee amendments, was adopted.

Mr. Asimus offered the following amendment, which was adopted:

Amend the Asimus amendment, as amended, as follows:

5. Amend page 4 of the bill by striking the new matter and reinserting the old matter shown as stricken in line 90.

Mr. Heiliger offered an amendment, which was lost with 1 aye, 34 nays, 8 not voting.

Referred to E and R for review.

Members Excused

Mr. Ogden was excused for the remainder of the day; Mr. Mueller was excused for Friday; Mr. Matzke was excused for Friday and Saturday, if Legislature in session; Mr. Hanna and Mr. Rakow were excused for Friday and Monday.

Mr. Mischke Presiding

LEGISLATIVE BILL 145. Considered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 197. Placed on Select File with amendments.

E and R amendments to L. B. 197:

1. In the bill, Section 1, page 2, line 3, strike: "48-702." at the beginning of the line; line 5, strike the semicolon after "year" and in lieu thereof insert: "~~;~~ ;".

2. In the bill, Section 2, pages 2 and 3, strike: "48-702." at the beginning of line 3; line 10, strike the semicolon after "year" and in lieu thereof insert: "~~;~~ ;"; insert "," in line 13 after "individual" also after "year"; lines 17 and 18, strike: "1939, as amended by section 4 of this act" and in lieu thereof insert: "~~1939~~ 1941 , ~~as amended by section 4 of this act~~"; lines 21 and 22, strike: "1939, as amended by section 3 of this act" and in lieu thereof, insert: "~~1939~~ 1941 , ~~as amended by section 3 of this act~~".

LEGISLATIVE BILL 225. Placed on Select File with amendments.

E and R amendments to L. B. 225:

1. Amend Standing Committee amendment No. 2, first and second lines, by striking the words "adding after" and in lieu thereof, inserting: "striking" and in the second line, strike: "the following:" and in lieu thereof, insert: "and inserting a semicolon and also the following:".

2. In the bill, Section 1, page 2, line 5, insert a comma after "electors"; line 13, after the word "be" and before "sub-" insert the word "in"; line 21, strike all of said line after the word "after" and in lieu thereof, insert: "the word "Yes". Those"; line 22, strike: "no." and in lieu thereof, insert: "No". ; .

3. In the bill, Section 2, pages 2 and 3, strike the word "districts" at the end of line 3, and in lieu thereof insert "district"; line 5, after "shall" and before "by", insert: "so declare that fact"; strike: "so declare" at the end of line 5, and the words "the fact" at the beginning of line 6; insert a comma at the end of line 7, after "July"; strike the word "and" at the end of line 12 and the word "shall" at the beginning of line 13; strike: ", and shall" at the end of line 13, and in lieu thereof, insert: "of the district and"; line 14, after "of" and before "sale" insert "the"; line 15, strike the word "their" before "possession" and in lieu thereof insert "its" and at the end of said line, after "possession" insert a comma; line 18, strike: ", and one-fourth", and in lieu thereof, insert: "; and the balance".

4. In the bill, title, page 1, 6th line, after "therefore;" insert: "to provide for the winding up of the affairs of such a district after discontinuance and dissolution has been voted; to except such districts, in counties where it is the only district having a twelve grade high school, from the provisions of this act;".

Correctly Engrossed

L. B. 434	L. B. 219	L. B. 423
L. B. 368	L. B. 421	L. B. 428

(Signed) James H. Anderson, Chairman

Adjournment

At 5:04 p.m., on motion by James H. Anderson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Friday, April 30, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Crosby presiding.

The roll was called and all members were present except Messrs. D. S. Anderson, Foster, Hanna, Matzke, Mueller and Rakow, who were excused.

The Journal for the Eightieth Day was approved as corrected.

Mr. Lee explained that the amendments to L. B. 145 appearing in the Journal for the Seventy-ninth Day are not the final draft nor an exact copy of the ones introduced and that corrections will need to be made to make the permanent Journal conform to the form offered. He stated that in the final form in Sec. 3 and Sec. 22, the word "submission" had been used instead of the word "presentation".

Communications

A communication was read from Congressman Carl T. Curtis regarding a program on Station KFAB.

SELECT FILE

LEGISLATIVE BILL 300. E and R amendments, found in the Legislative Journal for the Seventy-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 249. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 407. E and R amendments, found in the Legislative Journal for the Seventy-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 223. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 191. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 246. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 239. E and R amendments, found in the Legislative Journal for the Seventy-ninth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 197. E and R amendments, found in the Legislative Journal for the Eightieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 225. E and R amendments, found in the Legislative Journal for the Eightieth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 400. Mr. Gutoski asked that unanimous consent be granted to waive reading the bill and Standing Committee amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-second Day, were adopted.

Referred to E and R for review.

Mr. Gantz Presiding

LEGISLATIVE BILL 247. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 282. Mr. Crosby asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Mr. Crosby offered the following amendment, which was adopted:

Amend Sec. 2, line 1, by striking the figures: "20-229", and inserting in lieu thereof the figures: "20-2229".

Referred to E and R for review.

LEGISLATIVE BILL 285. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 402. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 238. Mr. Heiliger asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 327. Mr. Peterson asked that unanimous consent be granted to waive reading the bill and Standing Committee amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 353. Mr. Tvrdik asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 364. Read and considered.

Referred to E and R for review.

Mr. Conklin Presiding

LEGISLATIVE BILL 391. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for review.

Mr. Gantz Presiding

LEGISLATIVE BILL 414. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 415. Mr. Raecke asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Hubka asked that unanimous consent be granted to waive reading the Standing Committee amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-third Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 318. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Referred to E and R for review.

Mr. Tvrdik Presiding

LEGISLATIVE BILL 299. Mr. Gantz asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Standing Commitee amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 231. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 422. Mr. Greenamyre asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 394. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Mr. Craven offered the following amendment, which was adopted:

Amend by inserting in section 1, page 2, line 1 of the printed bill, after the word "subdivision" the following words and punctuation: ", except a public power district or a public irrigation district or a public power and irrigation district, or a Metropolitan Utilities district,", and that the title be amended to conform to this amendment.

Referred to E and R for review.

LEGISLATIVE BILL 427. Mr. Peterson moved that consideration of this bill be deferred until consideration of L. B. 145 on General File is finished.

The motion prevailed with 20 ayes, 8 nays, 15 not voting.

LEGISLATIVE BILL 413. Mr. Peterson asked that only the new matter be read.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 432. Read and considered.

Referred to E and R for review.

MOTION—Special Order.

Mr. Mekota moved that L. B. 440 be made a Special Order of business for Wednesday, May 5, 1943, at 2:00 p.m.

The motion prevailed.

REQUEST—For Unanimous Consent

Mr. Greenamyre asked that unanimous consent be granted to consider L. B. 439 at once.

No objection was offered. So ordered.

GENERAL FILE (Continued)

LEGISLATIVE BILL 439. Read and considered.

Referred to E and R for review.

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Mr. Sorrell asked that unanimous consent be granted to consider the resolution at once.

No objection was offered. So ordered.

Mr. Jeffords moved that a committee be appointed to arrange for suitable program of dedication with complete authority to fix date and program, the date to be after the restoration of peace.

No action was taken thereon.

Members Excused

Messrs. Craven and Dooley were excused for the afternoon. Mr. Neubauer was excused for Monday and Tuesday.

Recess

At 12:08 p.m. on motion by Mr. Heiliger the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:31 p.m. Speaker Crosby presiding.

The roll was called and all members were present except Mr. Carmody, and except Messrs. D. S. Anderson, Craven, Dooley, Foster, Hanna, Matzke, Mueller and Rakow, who were excused.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Resolutions 28, 29, 30.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. 277 L. B. 438

LEGISLATIVE BILL 297. Placed on Select File with amendments.

E and R amendments to L. B. 297:

1. In the bill, Section 1, page 2, strike all of lines 5, 6 and 7, and in lieu thereof, insert: "for the relief of unemployed and indigent persons upon all the taxable property within the respective corporate limits of such counties, except intangible property, as follows: In counties with a population of twelve thousand inhabitants or less, not to exceed 1 mill; in other counties, not to exceed one half mill."

2. In the bill, Section 2, page 2, strike all of said section after "expend the" in line 2, and in lieu thereof, insert: "money collected under the emergency act for the years 1941 and 1942, sections 77-1829, 77-1830 and 77-1831, C. S. Supp., 1941, and county boards are also authorized to expend the money collected under this act for the relief of unemployed and indigent persons; Provided, that the amount expended by a county for salaries and expenses of administration of all such activities, as provided in either of said acts, shall not exceed ten per cent of the money collected, under either of said acts, in counties having a population of more than one hundred fifty thousand inhabitants or five per cent of the money so collected in counties having a population of one hundred fifty thousand inhabitants or less."

3. In the bill, Section 3, pages 2 and 3, line 6, strike the comma after "taxes"; line 16, after "promote" and before "public" insert the word "the"; line 17, strike the word "public" before "welfare".

4. In the bill, Section 4, page 3, line 1, strike the comma before "and".

5. In the bill, title, page 1, at the end of the 3rd line, after "levy" insert: ", only"; at the end of the 6th line, after "limits", insert: ", except intangible property," ; 10th line, strike "of" after "Act" and in lieu thereof insert: "for the years", and in said line, strike the word "cost" and in lieu thereof, insert: "salaries and expenses"; 12th line, strike: "less than"; 13th line, after "inhabitants", insert: "or less"; 14th line, strike: "moneys arising" and in lieu thereof insert: "money collected under said emergency act and also"; 15th line, strike "cost" and in lieu thereof insert: "salaries and expenses"; 19th line, strike: "moneys arising" and in lieu thereof, insert: "money collected under said emergency

act and also"; 20th line, strike the comma at the end of said line, after "77-1830".

LEGISLATIVE BILL 242. Placed on Select File with amendments.

E and R amendments to L. B. 242:

1. In the bill, Section 1, pages 2 and 3, line 4, strike "and" after "Governor" and in lieu thereof insert: ", ~~and~~"; line 8, strike: "(1)" and in lieu thereof insert: "(1) ~~.~~"; line 10, strike: "; (2)" and in lieu thereof insert: "~~.~~ ; (2) ~~.~~" ; line 12, strike: "moneys," and in lieu thereof insert: "~~moneys~~ **money**"; line 13, strike "the" before "public" and in lieu thereof insert "~~the~~"; line 14, strike: ";(3)" and in lieu thereof, insert: "~~.~~ ;(3) ~~.~~" ; line 17, strike the comma after "departments" and in lieu thereof insert "~~,~~"; line 19, strike: "(4)" and in lieu thereof, insert: "(4) ~~.~~" ; line 22, after "**audit**" insert "**the**"; strike "," in line 23 after "**records**", lines 27 and 29 after "bills", line 38 after "quality", line 39 after "just"; line 24, strike: "**, and to**" and in lieu thereof insert "**and**"; insert "," in line 29 after "claims", and line 32 after "**Accounts**"; strike the comma at the end of line 29 after "claim" and in lieu thereof insert "~~,~~"; line 39, after "articles" insert: ", **work**"; line 40, strike "and" before "that" and in lieu thereof insert: "~~and~~"; line 41, strike the comma after "with" and in lieu thereof insert "~~,~~"; line 42, strike: "To publish, from time to" and strike "time," at the beginning of line 43, and in lieu thereof, insert: "~~To publish, from~~ **From** time to time, **to publish,**";

2. In the bill, title, page 1, strike the comma after "records" in the 6th line; 7th line, strike: ", and to" and in lieu thereof insert the word "and".

LEGISLATIVE BILL 206. Placed on Select File with amendments.

E and R amendments to L. B. 206:

1. In the bill, Section 1, page 2, line 6, strike: "shall have" and in lieu thereof insert "has"; line 7, strike "deeds" and in lieu thereof, insert: "the deed or deeds therefore have been"; line 11, strike "whatever" and in lieu thereof insert "whatsoever"; strike the word "of" at the beginning of line 14; line 15, strike "whatever" and in lieu thereof insert "whatsoever", and in said line strike "or" before "any"; line 16, strike "or" after "thereunder," also after "purchasing,"; insert a comma in line 2 after "state", line 4 after "estate", line 5 after "trustee", line 8 after "estate", at the end of line 12 after "more", line 13 after "whatever"; strike the comma at the end of line 9, after "corporation", line 18 after "trustee", line 22 after "corporation".

2. In the bill, Section 2, pages 2 and 3, line 6, strike: "shall have" and in lieu thereof insert "has"; line 7, strike "deeds" and in lieu

thereof insert: "the deed or deeds therefore have been"; line 10, strike "whatever" and in lieu thereof insert "whatsoever"; strike the word "of" at the end of line 12; strike the word "whatever" at the end of line 13 and in lieu thereof insert "whatsoever"; strike the word "or" in line 14 before "any", in line 15, after "thereunder," and also after "purchasing,"; insert a comma in line 2 after "state", line 5 after "trustee", line 11 after "more", line 12 after "whatever"; strike the comma in line 8 after "corporation", line 17 after "trustee", line 21 after "corporation".

3. In the bill, Section 3, pages 3 and 4, lines 6 and 7, strike: "shall not have" and in lieu thereof, insert: "have not"; line 10, before "sales" insert: "sale or", and in said line, before "deeds" insert: "a deed or"; line 12, strike "whatever" and in lieu thereof insert "whatsoever"; line 16, strike "whatever" and in lieu thereof insert "whatsoever" and in said line, strike "or" before "any"; strike "or" in line 17 after "thereunder,", and at the beginning of line 18; insert a comma in line 2 after "state", line 5 after "trustee", line 12 after "body", line 14 after "more" and also after "whatever", line 25 after "taxes"; strike the comma in line 11 after "it" and also after "corporation", line 19 after "trustee".

4. In the bill, Section 4, page 4, line 2, strike the comma after "corporation"; line 4, strike "said" before "county" and in lieu thereof insert: "such a"; line 5, strike the comma after "sections"; line 8, insert a comma after "court"; line 17, strike: ", and the" and in lieu thereof insert: ". The".

5. In the bill, Section 5, page 4, line 2, insert a comma after "estate"; line 4, strike "by" before "deed" and in lieu thereof, insert: ", by a"; line 7, strike the comma after "corporation".

6. In the bill, Section 6, page 5, line 1, strike the word "sale" and in lieu thereof insert the word "sales"; strike: "heretofore be" at the end of line 2 and in lieu thereof insert: "have heretofore been"; line 6, strike: ", all advertising" and in lieu thereof, insert: "and all"; line 7, strike: ", and the" and in lieu thereof, insert: ". The".

7. In the bill, title, page 1, strike the comma after "attack" in the 3rd line and after "invalid" in the 4th line; insert a comma after "proceedings" in the 4th line; 6th and 7th lines, strike: "Compiled Statutes of Nebraska, 1929, as amended," and in lieu thereof insert: "C. S. Supp., 1941,".

8. In the bill, strike: "Compiled Statutes of Nebraska, 1929, as amended," and in lieu thereof, insert: "~~Compiled Statutes of Nebraska, 1929, as amended,~~ **C. S. Supp., 1941,**" in Section 1, page 2, line 3; Section 2, page 2, line 3; Section 3, page 3, line 3.

. **LEGISLATIVE BILL 194.** Placed on Select File with amendments.

E and R amendments to L. B. 194:

1. In the bill, Section 1, page 2, line 8, strike "," after "**trailer**"; line 10, strike "**exempt**" and in lieu thereof insert "**exempted**"; line 11, strike: "**of this act,**" and in lieu thereof insert: "**, C. S. Supp., 1941,**";

2. In the title, in the bill, page 1, 5th line, strike the word "and" before "other"; strike all of the 7th line and in lieu thereof, insert: "provide that a straight truck, a trailer or a semi-trailer with a tank body mounted thereon, which tank body has a capacity greater than that specifically exempted by section 66-811, C. S. Supp., 1941, shall constitute one vehicle;" .

LEGISLATIVE BILL 167. Placed on Select File with amendments.

E and R amendments to L. B. 167:

1. In Standing Committee amendment No. 2, second line, strike the comma after the quotation mark and before "an" and in lieu thereof insert: ", ."; fifth line, after "1941" and before the comma stricken, insert: "(81-7501 to 81-7506)"; strike the quotation mark before "**state**" in the 13th line, and after "**fund.**" in the 14th line.

2. In Standing Committee amendment No. 1, second line, strike: "act" and in lieu thereof, insert: "ACT" in the second line.

LEGISLATIVE BILL 157. Placed on Select File with amendments.

E and R amendments to L. B. 157:

1. In the bill, Section 1, pages 2 and 3, strike all of line 22 beginning with the word "**In**" and "**of Nebraska the**" in line 23, and in lieu thereof insert "**The**"; line 24, strike: "**such district**" and in lieu thereof, insert: "**each sanitary drainage district in the State of Nebraska,**"; line 27, strike "**year**" before "**previous**" and after the word "**previous**" insert "**year**"; strike: "**(1) for**" at the end of line 31, and in lieu thereof insert: "**for (1)**"; line 32, strike the word "**for**" after "**(2)**" and also after "**(3)**"; line 33, strike: "**, (4) for**", and in lieu thereof insert: "**and (4)**"; line 38, before "**(1)**" insert the word "**and**"; line 47, strike: "and the" and in lieu thereof, insert: "and the . **The**"; line 51, strike the comma after "bonds" and in lieu thereof insert ","; line 52, strike: ", of any such district, and shall" and in lieu thereof, insert: ", of any such district, and shall"; insert the punctuation "," in line 24 after "**account**",

line 41 after "**cover**" and also after "**by year**", line 42 after"**audit**", line 44 after "audits", line 45 after "for" .

2. In the bill, Section 3, page 3, at the end of line 1, insert: "be in full force and"; line 2, insert a comma after "effect" and strike the period at the end of the line after "approval" and in lieu thereof insert: ", according to law." .

3. In the bill, title, page 1, strike the semicolon at the end of the 6th line, after "audited" and in lieu thereof, insert: "annually by a certified public accountant under his direction; to provide the time and scope thereof;" .

LEGISLATIVE BILL 112. Placed on Select File with amendments.

E and R amendments to L. B. 112:

1. In the bill, Section 1, page 2, line 6, strike the word "attend" and in lieu thereof insert: "~~attend~~ **be**"; line 9, strike "his" and in lieu thereof insert "~~his~~" and in said line insert "," after "appointment"; line 10, strike the word "himself" and in lieu thereof insert "~~himself~~"; line 11, after "as" and before "in" insert "**being**".

2. In the bill, Section 2, page 2, lines 5 and 6, strike: ", and the" and in lieu thereof, insert: "~~and the~~ . **The**"; line 6, after "them" insert "**with**"; line 7, strike: ", and in" and in lieu thereof insert: "~~, and in~~ . **In**"; strike the comma and insert "~~,~~" in line 8 after "elector" and line 11 after "deficiency"; line 13, after "person" insert: "**or persons**" and at the end of said line, after "of" insert "a" .

3. In the bill, title, page 1, lines 5th and 6th, strike: "certificate of appointment, and" and in lieu thereof, insert: "the certificate of appointment for electors of President and Vice President and the time, place and procedure for the" ; 8th line, after the semicolon and before "and" insert: "to provide the procedure for filling vacancies in the college of electors;" .

(Signed) James H. Anderson, Chairman

MOTION—Order of Business

Mr. President: I move that the Legislature start working on controversial bills 1:30 p.m. Monday, commencing with L. B. 145 and remain on controversial bills until completed, night sessions excepted.

(Signed) Gantz

MOTION—To Amend

Mr. President: I move to amend the Gantz motion by inserting after the words "controversial bills" the words "now on special file".

(Signed) Peterson

The Gantz motion as amended prevailed with 30 ayes, no nays, 13 not voting.

SELECT COMMITTEE REPORTS

Sifting Committee

Mr. President: The Sifting Committee on Order and Arrangement met this day, April 30, 1943, and at such meeting the following decisions were arrived at. That directly following L. B. 253, to be considered L. B. 123, 127, 136, 138, 287, 384, 234, 198, 117, 295, 14, 273, 437, 258, and that the following bills be placed on the Non-controversial list, to wit: L. B. 363, 153, 79, 406, 293, 332, 184, 339, 214, 335, 372, 205, 390, 431, 424, 229.

(Signed) Tvrdik, Chairman

Mr. Tvrdik moved to adopt the report.

The motion prevailed.

Member Excused

Mr. Norman was excused for the balance of the afternoon.

MOTION—To Change Position on File

Mr. Asimus moved to place L. B. 293 on the controversial file.

The motion was lost with 9 ayes, 5 nays, 29 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 22. Mr. Jeffords amended his motion, offered in the morning session by adding before the word "that" the following: "strike Sec. 1 of resolution, and to provide".

Mr. Mischke moved to table the resolution.

The motion prevailed with 15 ayes, 11 nays, 18 not voting.

Member Excused

Mr. Weborg was excused for the balance of the day.

GENERAL FILE

Mr. Gutoski Presiding

LEGISLATIVE BILL 363. Read and considered.

Mr. Lee offered the following amendment, which was adopted:

Amend line 80, Sec. 1, page 4, by striking the word "three" and inserting the word "four".

Standing Committee amendments, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 153. Mr. Mischke requested unanimous consent to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day, were adopted.

Mr. Raecke offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 2, line 6, by striking the period, inserting a comma in lieu thereof and then adding: "and, in municipalities having duly organized Boards of Public Works as authorized by statute, such Board of Public Works, for the purposes of this act, shall be considered as a separate municipality."

2. Amend page 2 of the bill, section 3, line 5, by striking the period, inserting a comma in lieu thereof and then adding: "and in the case of Boards of Public Works shall be the chairman of such board".

3. Amend page 3 of the bill, section 7, lines 18 and 28, by striking the word "city" in each of said lines and inserting in lieu thereof the word: "municipality".

4. Amend page 6 of the bill, section 14, line 3, by inserting after the word "ordinance" the words: "and in the case of a Board of Public Works shall pass an appropriation resolution,".

5. Amend page 6 of the bill, section 14, lines 6 and 13, by inserting in each of said lines after the word "ordinance" the words: "or resolution".

6. Amend page 6 of the bill, section 14, line 10, by adding after the word "applies" the words and punctuation: ", and warrants may thereupon be issued against such funds, but if there be not money in the treasury to the credit of the proper fund for the payment of the same, then no warrants shall be issued in excess of eighty-five per cent of the amount so appropriated."

7. Amend page 6 of the bill, section 15, lines 6 and 7, by inserting in each of said lines after the word "ordinance" the words: "or resolution."

8. Amend page 7 of the bill, section 17, lines 3 and 4, by striking the words "emergencies such as epidemics, floods, fires or other catastrophes," and inserting in lieu thereof the words: "catastrophes, accidents or emergencies arising or happening after the adoption of the budget,".

9. Amend page 7 of the bill, section 18, lines 2, 3, and 4, by striking the words "remain in the fund for which appropriated and shall be deemed appropriated to such fund without further reappropriation" and inserting in lieu thereof the words: "revert to the fund from which appropriated and shall be subject to reappropriation, and all moneys on hand in any fund shall be applied on the budget estimate for the next succeeding year,".

10. Amend page 9 of the bill, section 23, line 3, by inserting after the word "made" the following words: "which, in the case of utilities required to make reports to the Federal Power Commission, shall conform to such reports or such parts thereof as the Auditor of Public Accounts may direct,".

Laid over. Retains place on file.

LEGISLATIVE BILL 79. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-fifth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 406. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Thirty-eighth Day, were adopted.

Mr. Jeffords moved to postpone indefinitely.

The motion was lost with 5 ayes, 10 nays, 28 not voting.

Mr. Jeffords offered an amendment which was lost with 4 ayes, 11 nays, 28 not voting.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 60. Presented to Governor for approval Friday, April 30, 1943 at 3:30 p. m.

(Signed) James H. Anderson, Chairman

Adjournment

At 4:40 p.m. Mr. Sorrell moved to adjourn.

Mr. Doyle moved to adjourn until Monday, May 3, 1943, at 10:00 a.m.

The motion was lost with 7 ayes, 14 nays, 22 not voting.

The Sorrell motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Monday, May 3, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Carmody, Hanna, Neubauer and Rakow, who were excused.

The Journal for the Eighty-first Day was approved.

Communications

A letter was read from the Nebraska Broadcasters Association, relating to Legislative Resolution 12.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 303. Presented to Governor for approval Saturday, May 1, 1943, at 9:30 a.m.

LEGISLATIVE BILL 284. Presented to Governor for approval Saturday, May 1, 1943, at 9:30 a.m.

LEGISLATIVE BILL 139. Placed on Select File with amendments.

E and R amendments to L. B. 139:

1. In Standing Committee amendment No. 6, 1st line, strike the period after "(B)"; strike the comma after "Nebraska" also after

"1948" in the 2nd line; and before "upon" insert "**and**"; 5th line, strike: ", and, if" and in lieu thereof, insert: "**. If such person is**"; at the end of the 5th line, after "he" insert: "**or she**"; insert "**,**" after "osteopathy" in the 7th line and after "surgery" in the 10th line; strike the comma after "Nebraska" in the 8th line, and in lieu thereof insert "**and**".

2. In the bill, Section 1, page 2, line 1, strike: "C. S. Supp., 1941," and in lieu thereof insert: "Compiled Statutes of Nebraska, 1929,"; line 5, strike: "in this state" and in lieu thereof insert: "~~in this state~~" and at the end of said line strike "therein" and in lieu thereof insert: "~~herein~~ **therein**"; strike the period at the end of line 6 and in lieu thereof insert: "**in this state .**" .

3. In the bill, Section 2, page 2, lines 1 and 2, strike: "Compiled Statutes of Nebraska, 1929," and in lieu thereof, insert: "C. S. Supp., 1941,"; line 4, strike "his" and in lieu thereof, insert: "~~his~~ **such**"; line 5, strike all of said line after "in the" and "**placed and kept**" in line 6, and in lieu thereof, insert: "**office or** place in which he **or she** practices. **and place and keep placed,**"; line 7, strike: "**to his office or usual place of business**" and in lieu thereof insert: "**thereto,**"; line 9, strike: "**his name**" and in lieu thereof insert: "**the name of such person and**"; line 11, strike "**him**" after "**by**" and in lieu thereof, insert: "**such person**"; line 15, after, "," and before "or" insert: "**Chiropodist**"; strike the comma in line 17 after "**stationery**"; strike line 18 and in lieu thereof insert: "**licensees.**"; insert "," in line 3 after "person", line 4 after "profession", line 7 after "**sign**", line 8 after "**height**", line 11 after "**foregoing**", line 13 after "**signs**" .

4. In the bill, Section 3, pages 2 and 3, at the end of line 6 insert "."; strike "~~(1927 p. 456)~~" at the beginning of line 7; line 9, strike "**him**" and in lieu thereof insert: "**such person**"; line 13, strike "**he**" after "**where**" and in lieu thereof insert: "**such person**", and in said line, strike "**or**" after "**practicing**" and in lieu thereof insert ","; line 14, after "**his**" insert: "**or her**"; line 16, strike: "**, which**" and in lieu thereof insert: "**. The**"; line 17, strike: "**shall**"; also strike: "**name of**" and in lieu thereof insert: "**following information in regard to the certificate and**"; strike all of line 18 after "**issued**" and all of line 19 up to the word "**scope**" and in lieu thereof insert: "**: (a) Name; (b) residence; (c) form of certificate issued; (d)**"; lines 20 and 21, strike: "**. the**" and in lieu thereof insert: "**; (e)**", and in said line 21, strike: "**, and**" after "**certificate**" and in lieu thereof insert: "**; and (f)**"; at the end of line 22, after "**in**" insert "**said**"; line 23, strike: "**his license**" and in lieu thereof insert: "**such license,**"; line 28, strike: "**recorded by him**" and in lieu thereof insert: "**so recorded**"; lines 28 and 29, strike: "**; and said**" and in lieu thereof insert: "**. Said**"; strike the word "**his**" at the end of line 29; line 31, after "**forward**" insert "**an**"; insert "," in line 20 after "**thereunder**", line 24 after "**required**", line 26 after "**keep**", line 27 after "**Health**", line 8 after "**act**" .

5. In the bill, Section 4, formerly 5, page 4, line 10, after the semicolon and before the word "for" insert "**and**".

6. In the bill, Section 5, formerly 6, page 5, line 4, strike "~~that~~" and in lieu thereof insert "that" and strike "**in**" at the end of said line; line 5, strike ", which shall" and in lieu thereof insert: "~~,~~ ~~which~~ shall **each**"; line 6, strike the word "**each**".

7. In the bill, Section 6, formerly 7, line 4, after "his" and before "profession" insert: "**or her**"; insert "," in line 5 after "Nebraska" and line 6 after "state"; strike: "his ap-" at the end of line 6, all of lines 7, 8 and 9, and in lieu thereof, insert: "~~his~~ **an** appointment **on such board . No**".

8. In the bill, Section 7, formerly 8, page 5, line 9, strike: "his profession." and in lieu thereof insert: "~~his~~ **the** profession **of said examiner** .".

9. In the bill, Section 8, formerly 9, page 6, line 10, strike: "~~(1927 p. 452).~~"; line 24, insert "," after "**December**"; line 25, strike "he" after "**whom**" and in lieu thereof insert: "**such person**".

10. In the bill, Section 9, formerly 10, page 6, line 5, after "of" and before "several" insert "**the**"; line 7, strike "shall" and in lieu thereof insert "~~shall~~"; line 8, after "the" and before "minute" insert "**proper**", and in said line, strike: "of the profession voting" and in lieu thereof insert: "~~of the profession voting~~"; line 10, strike "the" before "board" and in lieu thereof insert: "~~the~~ **each**".

11. In the bill, Section 10, formerly 11, page 7, line 6, strike the word "his" and in lieu thereof insert: "~~his~~ **a**"; strike all of line 9 after "statements" and the word "**of**" at the beginning of line 10, and in lieu thereof insert: "~~in advertisements,~~ **, or**"; line 11, strike "**his**" and in lieu thereof insert: "**such licensee's**"; line 12, strike: "**; the use**", and in lieu thereof, insert: "**. 6. Use**"; line 13, strike: "**, or the use of any**" and in lieu thereof insert: "**. 7. Other**"; line 14, strike: "6." and in lieu thereof insert: "~~6~~ **8 .**"; strike "7." at the beginning of line 16, and in lieu thereof insert: "~~7~~ **9 .**"; line 19, strike: "**, or the unlawful**" and in lieu thereof insert: "**. 10. Unlawful**"; line 17, after "or" and before "the" insert "~~of~~"; lines 20 and 21, strike: "**, to practice**"; line 21, strike the period after "**licensed**" and in lieu thereof insert: "**to practice.**"; line 24, strike: "**8.**" and in lieu thereof insert: "**11.**"; lines 25 and 26, strike: "Section 10 (71-209) of this chapter." and in lieu thereof insert: "~~Section 10~~ **section** (71-209) , ~~of this article~~ **C. S. Supp., 1941, as amended by legislative bill 149, fifty-sixth session of the Nebraska State Legislature, 1943.**"; insert "," in line 10 after "**claims**", line 20 after "**profession**".

12. In the bill, Section 11, formerly 12, pages 7 and 8, line 6, insert "," after "persons"; line 13, strike: "or assisting" and in lieu thereof, insert: "~~or assisting~~ **. 4. Assisting**"; line 14, after "his" and before "legal" insert: "**or her**"; line 15, strike: "**4.**" and in lieu thereof insert "**5.**"; line 17, strike "," after "**advertisements**" and strike the word "**he**" and in lieu thereof insert: "**such person**"; line 19, after "**he**" insert: "**or she**" and in said line strike "5." and in lieu thereof insert: "~~4~~ **6** ."; line 21, strike: "6." and in lieu thereof insert "~~5~~ **7** ."; line 22, strike "procuring," and in lieu thereof insert "**procuring**"; line 23, strike: "7." and in lieu thereof insert: "~~6~~ **8.**"; line 24, strike: "8." and in lieu thereof insert "~~7~~ **9.**"; line 26, strike: "; advertising" and in lieu thereof insert: "~~;~~ **. 10.** ~~advertising~~ **Advertising**"; line 28, strike: "; advertising" and in lieu thereof insert: "~~;~~ **. 11.** ~~advertising~~ **Advertising**"; line 29, strike: ", advertising" and in lieu thereof insert: "~~;~~ **. 12.** ~~advertising~~ **Advertising**", and in said line after "of" and before "large" strike the word "a" and in lieu thereof insert "**a**"; line 30, strike the comma after "signs" and in lieu thereof insert "~~;~~" and in said line insert "," after "containing" and also after "thereof"; line 32, strike: "; employing" and in lieu thereof insert: "~~;~~ **. 13.** ~~employing~~ **Employing**"; line 33, strike: "; or advertising" and in lieu thereof insert: "~~;~~ **. 14.** ~~or advertising~~ **Advertising**"; line 34, after "**professional**" insert: "**services** or free examinations~~;~~ **. 15.** ~~offering~~ **Offering** discounts or inducements to prospective patients, by means of coupons or otherwise to perform ~~dental~~ **professional**"; line 36, strike: "; or advertising" and in lieu thereof, insert: "~~;~~ **. 16.** ~~or advertising~~ **Advertising**".

13. In the bill, Section 12, formerly 13, page 9, line 8, before "**within**" insert: "**as amended by legislative bill 149, fifty-sixth session of the Nebraska State Legislature, 1943,**"; and insert "," after "**due**"; line 9, strike: "**his license**" and in lieu thereof insert: "**the license of such person**"; line 14, strike "the" and in lieu thereof insert "The".

14. In the bill, Section 13, formerly 14, pages 9 and 10, line 13, strike the word "**extents**" and in lieu thereof insert "**extent**"; strike: "**, and the**" at the end of line 17, and in lieu thereof insert: "**. The**"; line 18, strike "**may**" and in lieu thereof insert "**shall**" and in said line strike "**his**" and in lieu thereof insert "**any**"; line 19, strike: "**his license**" and in lieu thereof insert: "**a license to practice the same**"; line 23, strike: "**, provided**" and in lieu thereof insert "**if**"; line 24, strike: "**fee shall**" and in lieu thereof insert "**fees**"; line 25, strike: "**, provided,**" and the word "**that**" at the beginning of line 26, and in lieu thereof, insert: "**; Provided, that,**"; line 31, after "**of**" and before "**the board**" insert: "**reinstatement by**"; line 32, strike: "**recommending reinstatement**"; insert the punctuation "," in line 16 after "**hereunder**", line 25 after "**revoked**", line 33 after "**regulations**", line 34 after "**application**".

15. In the bill, Section 14, formerly 15, pages 10 and 11, line 7, strike the word "such" before "notice" and in lieu thereof insert "a";

line 8, strike: “of taking such appeal” and in lieu thereof insert: “~~of taking~~ **to take** such **an** appeal,”; line 11, strike: “of taking such appeal. A” and in lieu thereof, insert: “~~of taking such~~ **to** appeal. A **duly certified**”; line 13, strike: “duly certified” and in lieu thereof insert: “, ~~duly certified~~”; line 15, strike: “and such filing” and in lieu thereof insert: “~~and such filing~~, **which**”; lines 20 and 21, strike: “. The trial in the district court shall” and in lieu thereof, insert: “~~.~~ ~~The trial in the district court shall~~ **and**”; insert the punctuation “,” in line 10 after “order”, line 12 after “pleadings”.

16. In the bill, Section 15, formerly 16, page 11, line 4, strike the word “but” after “court” and in lieu thereof insert: “~~but~~ . **It**”; strike “~~,~~” at the end of line 7 and in lieu thereof insert “.”.

17. In the bill, Section 16, formerly 17, pages 11 and 12, line 4, strike: “shall be” and in lieu thereof insert: “~~shall be~~”; line 7 strike the comma after “chiropody” and in lieu thereof insert “~~,~~;”; line 8, strike “any” before “examination” and in lieu thereof insert “an”; lines 10 and 11, strike: “the preceding paragraph” and in lieu thereof, insert: “~~the preceding paragraph~~ **subdivision 1 hereof,**”; line 15, strike “the” before “board” and in lieu thereof insert “~~a~~ **the**”; line 17, strike: “the preceding paragraph” and in lieu thereof, insert: “~~the preceding paragraph~~ **subdivision 3 hereof,**”; line 21, strike “a” before “board” and in lieu thereof, insert: “~~a~~ **the**”; line 25, strike “one-half” and in lieu thereof insert: “~~one-half~~; **one half**”; line 27, strike: “one-half” and in lieu thereof insert: “~~one-half~~ **one half**”; line 30, strike: “In dentistry” and in lieu thereof insert: “~~In dentistry~~ **Dentistry**”; strike the word “and” at the beginning of line 31 and in lieu thereof insert “~~and~~”; strike “; Provided,” at the end of line 32, all of line 33 and all of line 34 up to the word “three” and in lieu thereof, insert: “~~; Provided for the annual renewal of a license to practice the profession of pharmacy the fee shall be~~ . **Pharmacy,**”; line 36, strike the word “benefits” and in lieu thereof insert: “~~benefits~~ **benefit**”; insert the punctuation “,” in line 10 after “professions” also line 17.

18. In the bill, Section 17, formerly 18, page 12, line 4, insert “,” after “profession”; line 5, after “such” and before “license” insert “a”; line 6, strike: “**permanent** injunction.” and in lieu thereof insert: “permanent ~~injunction~~ **injunctions** .”; line 5, insert “,” after “article”.

19. In the bill, Section 18, formerly 19, pages 12 and 13, line 5, strike the colon after “surgery” and in lieu thereof insert: “~~:~~; :”; line 6, strike “or” after “physicians” and in lieu thereof insert: “~~or~~ ,”; line 7, strike “who” before “publicly” and in lieu thereof insert “~~who~~”; line 9 strike the comma after “obstetrics” and in lieu thereof insert “~~,~~;”; lines 13 and 14, strike: “**; or**” and in lieu thereof insert: “**. 4. Persons**”; line 16, strike: “; **or**” and in lieu thereof insert: “**. 5. Persons**”; line 19, strike:

"**; or**" and in lieu thereof insert: "**. 6. Persons**", and at the end of the line, strike: "**MD. ,**" and in lieu thereof insert: "**M. D., **"; strike the comma after "**doctor**" in line 20.

20. In the bill, Section 19, formerly 20, pages 13 and 14, line 4, strike the colon after "persons" and in lieu thereof insert: "~~;~~ :"; strike: "cases of" at the end of line 5, and in lieu thereof, insert: "~~the case~~ **cases** of ~~an~~"; line 8, strike: ", provided" and in lieu thereof, insert: "~~,~~ ; ~~provided~~ **Provided**"; line 9, strike "nor" after "medicines" and in lieu thereof insert: "~~nor~~ ,"; lines 11 and 12, strike: "a physician or surgeon and provided further they" and in lieu thereof, insert: "~~a physician~~ **physicians** or ~~surgeon~~ **surgeons** and, provided further , that ~~they~~ **such members**"; line 15, strike the comma after "who" and in lieu thereof insert "~~,~~"; strike the comma at the end of line 17 and in lieu thereof insert "~~.~~"; lines 19 and 20, strike: ", or" and in lieu thereof insert: ", ~~or~~"; line 20, strike: "~~or marine hospital~~" and in lieu thereof insert: "**or marine hospital**"; line 22, strike the word "**surgeons**" and in lieu thereof insert "surgeons"; strike the word and punctuation ", for" at the end of line 24, and in lieu thereof, insert: "~~in~~ **, for**"; line 26, strike: "**, or physician and surgeon**" and in lieu thereof, insert: "~~.~~ **, or physicians and surgeons**"; line 27, insert "," after "**state**"; line 51, strike the word "**and**" before "**not**"; line 52, strike: "**or**" after "**physician**" and in lieu thereof insert "**,**" and strike "**,**" after "**surgeon**"; line 54, strike "**or**" after "**form**" and in lieu thereof insert ",".

21. In the bill, Section 20, formerly 21, page 15, line 4, after "he" and before "is" insert: "**or she**"; line 6, insert "**,**" after "equivalent"; line 7, strike "Health" and in lieu thereof, insert: "~~Public Welfare~~ **Health**"; line 9, strike the comma after "pathology", and in said line, strike the word "of" before "Basic" and in lieu thereof insert: "~~in~~ **of**"; line 10, after "he" and before "is" insert: "**or she**".

22. In the bill, Section 21, formerly 22, pages 15, 16 and 17, line 7, strike the word "follows" and in lieu thereof, insert: "**and have the following requirements and standards** ~~follows~~"; line 14, after "standing" insert: "**, hereinafter referred to as "it" or "its",**"; line 18, strike the period after "date" and in lieu thereof insert "**.**"; strike all of line 20 after "~~said~~" and "in good standing" in line 21, and in lieu thereof, insert: "~~medical college or school in good standing~~ **it**"; strike: "**such** medical college or school in good standing" in lines 24, 29 and 30, and in lieu thereof, insert: "~~medical college or school in good standing~~ **it**"; line 25, strike the comma and insert "~~,~~" after "control" and also after "hospital"; strike the word "shall" at the beginning of line 26 and in lieu thereof insert "~~shall~~"; lines 27 and 28, strike: "the students of said medical college or school" and in lieu thereof insert: "~~the~~ **its** students ~~of said medical college or school~~"; line 35, strike: "such medical college or school" and in lieu thereof, insert: "~~such medical college or school~~ **it**"; insert ","

in line 35 after "require", line 36 after "degree"; line 39, strike: "and having" and in lieu thereof, insert: "**. 8. That it shall** ~~and having~~ **have**"; line 45, strike the comma after "gynecology" and in lieu thereof, insert: "~~,~~ **and the**"; line 46, strike the comma after "surgery" and in lieu thereof insert "~~,~~"; line 50, strike: "**8. That such medical school or college**" and in lieu thereof insert: "**9. That it**"; strike all of line 54 after "**schools.**" and all of line 55 up to the word "**shall**" and in lieu thereof insert: "**10. That it**"; insert "**,**" in line 56 after "**college**" and in line 57 after "**requirements**".

23. In the bill, Section 22, formerly 23, page 17, line 2, strike "71-206" and in lieu thereof insert "71-205"; line 6, strike "71-205" and in lieu thereof insert "71-206", and in said line, strike the comma before "71-302".

24. In the bill, title, page 1, 6th line, strike: "nursing,"; 9th and 10th lines, strike: "; to amend sections 71-206," and in lieu thereof insert: ", the procedure therefor, an appeal therefrom and the effect thereof; to provide for the registration, use and presumptive effect of such a license; to provide certain requirements for signs, advertisements, announcements and stationery of such licensees; to prescribe terms, number and certain qualifications of examiners on the various boards of examiners; to limit the number of terms of examiners on the Board of Examiners in Medicine and Surgery; to define certain terms; to state who shall be deemed to be engaged in the practice of medicine and surgery and the requirements for a license to practice medicine and surgery; to state the standards and requirements of a medical college or school in good standing; to provide for the payment of certain fees; to amend sections 71-205,";

14th line, strike "71-205" and in lieu thereof insert "71-206"; 18th line, strike the word "and" before "to repeal".

25. In Standing Committee amendment No. 4, 2nd line, after the word "after" insert: "the period following".

(Signed) James H. Anderson, Chairman

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 294. With emergency clause.

A bill for an act to amend section 66-405, C. S. Supp., 1941, as mended by section 2 of legislative bill 60, fifty-sixth session of the Ne- ska State Legislature, 1943, and section 66-417, C. S. Supp., 1941, relating to taxation upon the sale, distribution and use of motor vehicle fuels; to provide that dealers or other persons having paid the tax or liable for its payment shall collect the amount thereof from any person, firm or corporation to whom said motor vehicle fuel is sold in this state along with the selling price thereof; to repeal the said original section 66-405, C. S. Supp., 1941, as amended by section 2 of legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, and said original section 66-417, C. S. Supp., 1941; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Asimus
Carmody
Craven
Foster
Hanna
Matzke
Neubauer
Norman
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 322.

A bill for an act to amend section 27-336, Compiled Statutes of Nebraska, 1929, relating to stenographic reporters of the district courts; to fix the salaries of such reporters; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Mr. Peterson moved a call of the House.

A call of the House was ordered.

Thirty-seven members were present.

Mr. Sorrell changed his vote from aye to nay and moved that the call be raised.

The motion was lost with 12 ayes, 8 nays, 23 not voting.

Mr. Sorrell changed his vote from nay to aye and moved that the call be raised.

The motion prevailed with 29 ayes, no nays, 14 not voting.

Voting in the affirmative, 22: (on passage of the bill)

Anderson, D. S.
Bowman
Burnham
Conklin
Craven
Crosby
Cullingham
Dooley
Doyle
Gantz
Gutoski
Heiliger
Hubka
Klaver
Matzke
Ogden
Peterson
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 13:

Anderson, James H.
Asimus
Brodahl
Garber
Greenamyre
Jeffords
Jeppesen
Lee
Mekota
Mischke
Osborne
Raecke
Weborg

Not voting, 8:

Carmody
Crossland
Foster
Hanna
Mueller
Neubauer
Norman
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 416.

A bill for an act to amend section 26-1314, C. S. Supp., 1941, relating to examination of the books, accounts and affairs of county officers; to change the limitation as to the number and amount of salary of accountants that may be employed for that purpose by the Auditor of Public Accounts; to provide for the employment of one assistant for each accountant; to provide that the salaries of such assistants to accountants shall be fixed by the Auditor of Public Accounts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Carmody
Foster
Hanna
Mekota
Neubauer
Norman
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 410. With emergency clause.

A bill for an act providing for the establishment of a central mailing room; providing all official mail of any state officer, department, commission, board, bureau, court or state agency, occupying quarters in the capitol building in Lincoln, Nebraska or in any state office building hereafter located adjacent thereto, shall be delivered commencing July 1, 1943, unstamped to such central mailing room to be metered and dispatched; providing that employees of any such office, when working away from the capitol building, shall use metered mail so far as may be possible, consistent with postal regulations; providing for the location and management thereof and the method of accounting; to provide how the funds for the payment of postage shall be advanced and handled; providing for the appropriation of money for the central mailing office; providing that the State Purchasing Agent under the direction of the Tax Commissioner may make such rules and regulations as may be deemed necessary for the administration of this act; to provide a penalty; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Carmody
Foster
Hanna
Neubauer
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 251.

A bill for an act relating to agriculture; to provide for the regulation and licensing of frozen food locker plants by the Department of Agriculture and Inspection; to define terms; to establish fees; to establish rules for the operation thereof; to provide for inspections and reports; to confer certain powers and duties upon the Department of Agriculture and Inspection and its director and designated employees; to provide that the provisions of this act shall not be construed to amend, repeal or affect any provisions of law relating to cold storage; and to provide for penalties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 31:

Anderson, D. S.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Doyle
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 2:

Asimus
Dooley

Not voting, 10:

Anderson, James H.
Burnham
Carmody
Craven
Foster
Garber
Hanna
Klaver
Neubauer
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for the Journal

Mr. President: Had I been present, I would have voted for L. B. 322, L. B. 294 and L. B. 416.

(Signed) Norman, Foster.

MOTION—To Refer to Select File

Mr. Raecke moved to refer L. B. 38 to Select File for the following specific amendments:

1. Amend page 2 of the bill, section 2, line 9, by inserting after the word "deed" the following: ", and all subsequent tax liens thereon,".

2. Amend page 4 of the bill, section 9, lines 4 to 7, inclusive, by striking the words "and state the" in line 4, all of lines 5 and 6, and the words "is fixed by its decree" in line 7.

3. Amend page 4 of the bill, section 9, line 8, by inserting after the word "fee" in line 8 the following: ", unless waived by the plaintiff, in an amount".

4. Amend page 4 of the bill, section 12, by striking the period after the word "execution", substituting a comma in lieu thereof, and then adding: "and shall at once pay the proceeds thereof to the clerk of the district court."

5. Amend page 5 of the bill, section 13, line 13, by striking the period and substituting a semicolon in lieu thereof and then adding: "Provided, however, if a private purchaser at any sale held by the sheriff in tax foreclosure proceedings shall fail to pay the subsequent taxes levied and assessed against the property under foreclosure, any governmental subdivision of the state, municipal corporation, drainage or irrigation district interested in the distribution of the proceeds of the foreclosure sale, may apply for and have issued to it a certificate of tax sale covering such subsequent taxes in the manner provided by section 77-2009, and 77-2010, C. S. Supp., 1941, and upon production of such certificate in the court conducting said foreclosure proceedings, such court may thereupon order confirmation of such foreclosure sale, notwithstanding the private purchaser has failed to pay the subsequent taxes levied and assessed against the property."

6. Amend page 7 of the bill, section 17, line 6, by inserting after the word "and" the following: ", in addition thereto,".

7. Amend page 7 of the bill, new section 18, line 1, by striking the comma after the word "year" and then inserting the following: "in counties having a population of one hundred fifty thousand inhabitants or less, and on or before June 1 of each year in counties having a population of over one hundred fifty thousand inhabitants,".

8. Amend page 7 of the bill, new section 18, by striking lines 20 to 22, inclusive, and inserting the following in lieu thereof: "It shall be the duty of the county attorney, as promptly under all the circumstances as it is reasonably possible so to do, to institute suit to foreclose the lien of the taxes when ordered by the county board, and to promptly foreclose any".

9. Amend page 7 of the bill, new section 18, line 26, by inserting after the word "shall" the word: "wilfully".

10. Amend page 7 of the bill by adding a new section numbered "21", reading as follows: "Sec. 21. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

11. Amend the title to the bill, by striking the period after the word "act" in line 14, substituting a semicolon in lieu thereof and adding: "and to declare an emergency."

The motion prevailed with 22 ayes, no nays, 21 not voting.

SELECT FILE

LEGISLATIVE BILL 38. Mr. Raecke's specific amendments, above set out, were adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL 297. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 242. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 206. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 194. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 167. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 157. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 112. E and R amendments, found in the Legislative Journal for the Eighty-first Day, were adopted.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 22. Placed on Select File with amendments.

E and R amendments to L. B. 22:

1. In legislature amendment by Mr. Greenamyre, inserted matter, line 1, strike the figure "3" after "Sec." and in lieu thereof insert "2".

2. Insert a comma after "Supp." in the bill, Section 1, page 2, line 1; Section 2, page 2, line 1; in the title, page 1, line 2.

3. In the bill, Section 1, page 2, line 3, strike: "(1)" and in lieu thereof insert: "(1) ~~.~~"; line 4, after "of" and before "district" insert the word "**the**"; line 12, strike the semicolon after "bond" and in lieu thereof insert; "~~;~~ ;"; line 21, strike: "(2)" and in lieu thereof insert: "(2) ~~.~~"; line 22, after "of" and before "district" insert the word "**the**"; line 25, strike the comma after "supervisor" and in lieu thereof insert "~~,~~", also in line 27 after "county" and line 29 after "board" strike the comma and in lieu thereof insert: "~~,~~ ,"; line 26, strike: ", or by" and in lieu thereof insert: "~~,~~ or ~~by~~ **the**"; line 27, strike: ", and when" and in lieu thereof insert: "~~,~~ and ~~when~~"; line 28, strike: "and such" and in lieu thereof, insert: "~~and such~~ **which**".

4. In the bill, Section 2, page 2, line 1, strike the figure "2" after "Sec." and in lieu thereof insert the figure "3" and place this section, in the bill, after the insertion by Mr. Greenamyre.

5. In the bill, title, page 1, 4th line, insert a comma after "bond"; 5th line, strike the comma after "officer"; 9th line, strike the word "otherwise" and in lieu thereof insert: "as otherwise provided"; 11th line, after "premium" and before the semicolon, insert: "for such bond, subject to a reasonable minimum premium charge".

LEGISLATIVE BILL 95. Placed on Select File with amendments.

E and R amendments to L. B. 95:

1. In Standing Committee amendment, Section 1, line 2, strike the word "moneys" and insert in lieu thereof: "money", and in said line insert a comma after "fund".

2. In Standing Committee amendment, Section 2, page 2, line 5, after "Nebraska" insert "State", and in line 7, strike "moneys" and in lieu thereof insert "money".

LEGISLATIVE BILL 160. Placed on Select File with amendments.

E and R amendments to L. B. 160:

1. In Standing Committee amendment No. 1, strike the period at the end thereof and in lieu thereof, insert: "and show same as stricken matter.".

2. In the bill, Section 1, page 2, line 6, strike the comma after "minor" and in lieu thereof insert: "~~,~~ **or**"; strike the comma at the end of line 6 and strike: "or any person who is" at the beginning of line 7, and in lieu thereof, insert: "~~,~~ ~~or any person who is~~"; line 9, after "he" insert: "**or she**"; strike the word "licensee" at the end of line 10 and all of line 11 up to the word "except" and in lieu thereof, insert: "~~licensee mentioned in subsection (a) of this section~~ **person,**"; strike the comma and in lieu thereof insert "~~,~~" in line 14 after "misdemeanor", line 17 after "days", line 23 after "exchange", line 30 before "and", at the end of line 31 after "days"; line 15, strike: "or by" and in lieu thereof insert: "~~or by~~"; line 16, after "home" insert "**for**"; line 26, insert "," after "Indian"; line 27, strike the word "through" and in lieu thereof insert: "~~though~~ **, through**".

3. In the bill, Section 2, page 3, line 2, strike the word "hereby".

4. In the bill, title, page 1, strike all of the 4th to 7th lines, inclusive, and in lieu thereof, insert: ", gift or procuring of liquor to or for minors or persons who are mentally incompetent or physically or mentally incapacitated by the consumption of such liquors; to prohibit minors from misrepresenting their ages for the purpose of asking for, purchasing or receiving such liquors; to prohibit any person from selling, giving away, disposing of, exchanging or bartering such liquors to any Indian, including mixed bloods, herein designated; to provide penalties there-".

LEGISLATIVE BILL 182. Placed on Select File with amendments.

E and R amendments to L. B. 182:

1. In the bill, Section 1, pages 2 and 3, line 4, after "chapter" insert: "**(a)**"; line 5, strike "and" before "may" and in lieu thereof insert: "~~and~~ **(b)**" and in said line strike the semicolon after "sued" and in lieu thereof insert: "~~;~~ , **(c)**"; line 6, strike the semicolon after "with" and in lieu thereof insert: "~~;~~ , **(d)**"; line 7, strike the semicolon after "personal" and in lieu thereof insert: "~~;~~ , **(e)**"; line 8, strike the word "may" and in lieu thereof insert "~~may~~"; line 12, strike the word "and" at the beginning of the line, and in lieu thereof, insert: "**Provided, that** ~~and~~"; line 14, strike "board of five members, to be known as a" and in lieu thereof insert: "~~board of five members, to be known as a~~"; line 15, strike: ", who shall be" and in lieu thereof, insert: "**to be composed of five members** ~~,~~ who ~~shall be~~ **are**"; line 16, strike: "and whose duties shall be" and in lieu thereof, insert: "~~and whose~~ **to have the** duties ~~shall be~~"; line 17, strike: "who shall have" and in lieu thereof insert: "~~who shall have~~ **the**"; line 19, strike: ", that" and in lieu thereof, insert: "**further** , that ,"; line 20, strike the quotation marks before "board" and after "trust" and show the same as stricken matter; lines 23 and 24, strike: ", and thereafter one member" and in lieu thereof, insert: "~~,~~ ~~and thereafter~~ **. Thereafter** one member **of the board**"; line 27, strike: "; and such" and in lieu thereof insert: "~~;~~ ~~and such~~ **. Such**"; lines 32 and 33, strike: ", **and except real estate**", and in lieu thereof insert: "~~,~~ **or**"; line 38, strike "for" after "published" and in lieu thereof insert "~~for~~"; line 47, strike the word "of" after "days" and in lieu thereof insert: "~~of~~ **after**"; strike all of line 52 after "to the", and in lieu thereof, insert: "Nebraska ~~armory~~ **Armory** ~~board~~ **Board**" ; line 53, strike: ", or" and in lieu thereof insert: "~~,~~ or ,"; line 55, strike "Sec." and in lieu thereof insert: "~~Sec.~~ **section**"; insert "**,**" in line 10 after "property", line 42 after "sale", line 46 after "village"; strike the comma and in lieu thereof insert "~~,~~" in line 12 after "class", line 13 after "village", line 23 after "years"; line 29 after "pleasure"; strike the semicolon and in lieu thereof insert "~~;~~".

2. In the bill, title, page 1, 6th line, after "of" insert "an"; 7th line, strike "notice" and in lieu thereof insert: "a notice,"; 9th line, strike: "one thousand" and in lieu thereof insert: "five hundred" .

3. In the bill, Section 1, page 3, line 50, after "by" and before "city" insert "a" .

LEGISLATIVE BILL 231. Placed on Select File with amendments.

E and R amendments to L. B. 231:

1. In the bill, Section 1, page 2, line 4, strike: ", and shall have" and in lieu thereof insert: "~~,~~ and ~~shall~~ have **the**"; and in said line strike the comma after "employ" and in lieu thereof insert "~~,~~"; line 6, strike: "by said board" and in lieu thereof insert: "~~by said board~~"; line 7, strike the period after "year" and in lieu thereof insert: "**by said board** ."; line 9, strike "their" and in lieu thereof insert: "~~their~~ **its**"; and in said line, strike: "for carrying" and in lieu thereof insert: "~~for carrying~~ **to carry**"; line 11, strike "**they**" and in lieu thereof insert: "**, it**"; line 12, insert "**,**" after "**published**"; line 13, strike "**their**" and in lieu thereof, insert: "**its**"; line 15, strike the comma after "**paid**".

2. In the bill, title, page 1, 5th and 6th lines, strike: "their proceedings" and in lieu thereof insert: "its proceedings, except under the circumstances herein prescribed" .

LEGISLATIVE BILL 264. Placed on Select File with amendments.

E and R amendments to L. B. 264:

1. Amend Standing Committee amendment No. 9, 2nd line, by inserting, after "state" and before the quotation mark, the following: "of Nebraska".

2. Amend Standing Committee amendment No. 10, 1st line, by striking: "19 and 20" and inserting, in lieu thereof, "20 and 21".

3. In Standing Committee amendment No. 19, inserted matter, 3rd line, strike: "**, and**" and in lieu thereof insert: "**and,**"; 4th line, after "**used**" insert "**,**" .

4. In Standing Committee amendment No. 20, insert "**,**" in line 13 after "**state**", line 14 after "**purchased**" .

5. In Standing Committee amendment No. 22, 1st line, strike: "7 and 8" and in lieu thereof insert: "6 and 7" .

6. In legislature amendment by Mr. Crosby, 1st line, strike "and 17" and in lieu thereof, insert: ", 17 and 18"; at the end of the inserted matter, strike ";" and in lieu thereof insert "." .

7. In the bill, Section 1, page 3, strike "~~church~~" at the end of line 46; page 4, line 84, after "~~contract~~" insert "~~,~~"; page 6, strike "~~by~~" at the beginning of line 139 and in lieu thereof insert "~~in~~"; page 2, line 29, strike the comma after "of" and in lieu thereof insert "~~,~~".

8. In Standing Committee amendment No. 12, 4th line, strike: "~~, may~~" and in lieu thereof, insert: ", may" .

LEGISLATIVE BILL 314. Placed on Select File with amendments.

E and R amendments to L. B. 314:

1. In the bill, Section 1, page 2, line 6, strike: "; and such" and in lieu thereof insert: "~~;~~ and such . **Such**"; line 11, strike the comma after "bridges" and in lieu thereof insert "~~,~~"; line 15, strike the comma after "bridge" and in lieu thereof insert: "**or bridges** ,"; line 17, strike the comma after "repairs" and in lieu thereof insert "~~,~~"; line 33, strike: "**the other counties who**" and in lieu thereof insert: "**any other county or counties which**"; insert "," in line 13 after "contracts", at the end of line 27 after "**accidents**".

2. In the bill, title, page 1, 5th line, strike: "an agreement" and in lieu thereof.insert: "a joint contract"; 8th line, after "keep" and before "in", insert: "such bridge"; strike: "such bridge" at the beginning of the 9th line; 10th line, insert a comma after "accidents"; 15th line, strike: "the other counties to such agreement" and in lieu thereof insert: "any other county or counties which are parties to such contract".

LEGISLATIVE BILL 321. Placed on Select File with amendments.

E and R amendments to L. B. 321:

1. In legislature amendment No. 2 by Mr. Raecke, last line, after "area" and before the quotation mark, insert a period.

2. In the bill, Section 1, page 2, line 3, after the word "village" insert: ", except intangible property,".

3. Strike Standing Committee amendments Nos. 4, 5, 6 and 7, and in the bill, title, page 1, strike all of said title after "to provide that" in the 2nd line, and in lieu thereof, insert: "in addition to any other levies authorized by law for such purpose, all cities and villages, except cities of the metropolitan class, shall have power to levy a tax of not to exceed one mill on all taxable property, except intangible property, within such city or village until March 1, 1945, for the purpose of providing adequate policing to enforce the law where such city or village is located within a defense area; to include, for the purpose of this act, any area designated as a defense rental area or defense housing area, or both, as being a defense area; and to declare an emergency."

LEGISLATIVE BILL 331. Placed on Select File with amendments.

E and R amendments to L. B. 331:

1. In General File amendment by Mr. Peterson, 7th and 8th lines, strike: "Nebraska Compiled Statutes" and in lieu thereof insert: "**Compiled Statutes of Nebraska**", and underscore all new inserted matter.

2. In the bill, Section 1, page 2, line 5, strike the comma after "institution and in lieu thereof insert ","; line 6, strike "its" before "delinquency" and in lieu thereof insert: "~~its~~ **his or her**"; line 7, strike "or" before "physical" and in lieu thereof insert: "~~or~~ ,"; line 9, strike the word "minute" and in lieu thereof insert: "~~minute~~ **record**"; lines 10 and 11, strike: "upon its record, and shall" and in lieu thereof insert: "~~upon its record~~, and ~~shall~~"; line 11, after "copy" and before "at", insert: "**of such order or record,**"; line 14, strike: "its commitment;" and in lieu thereof insert: "~~its~~ commitment **of such minor;** ;" , and in said line, strike the comma after "Provided" and in lieu thereof insert ","; line 16, strike: ", **or**" and in lieu thereof insert: "; ,".

3. In the bill, Section 1, page 2, insert the punctuation "," in the following places: Line 6, after "minor"; at the end of line 7, after "reason"; line 8, after "board"; line 9 after "transfer".

4. In the bill, title, page 1, strike: "a penal" at the end of the 6th line and strike all of the balance of the title, and in lieu thereof, insert: "the reformatory for boys or other penal or correctional institution, except as herein provided; to specifically provide that nothing in this act shall affect the right of parole, herein referred to; to repeal the original section."

LEGISLATIVE BILL 334. Placed on Select File with amendments.

E and R amendments to L. B. 334:

1. In Standing Committee amendment No. 1, 2nd line of inserted matter, after the word "and" and before "effect" insert the word "take".

2. In the bill, Section 1, page 2, insert a comma in line 2 after "substance", in line 3 after "humans".

3. In the bill, Section 2, page 2, line 7, strike the word "contains" and in lieu thereof insert the word "contain".

4. In the bill, Section 3, page 2, line 10, strike the word "hereby".

5. In the bill, Section 4, page 2, line 1, insert a comma after "permits"; line 3, strike the comma after "thereof".

6. In the bill, Section 5, page 3, line 2, insert a comma after "regulation".

7. In the bill, Section 6, page 3, line 2, strike the word "hereby".

LEGISLATIVE BILL 337. Placed on Select File with amendments.

E and R amendments to L. B. 337:

1. Strike Standing Committee amendment No. 1, and in lieu thereof, in the bill, title, page 1, strike all of the third line after the word "streets" and all of the fourth and fifth lines, and insert the following: "or the construction or improvement of a waterworks system or storm or sanitary sewers in cities of the first and second class and villages; to provide, under the prescribed conditions, for the acceptance of".

2. In Standing Committee amendment No. 2, in the insertion, strike the comma after "waterworks".

3. In the bill, Section 1, page 2, at the end of line 2, after "into" insert "a"; strike the comma after "therein" in line 4 and after "sewers" in line 5; line 4, strike the word "of" before "sanitary"; insert a comma at the end of line 5, after "completed"; line 9 strike the word "fully", also the word "and" before "levy" and strike the comma at the end of the line, after "taxes".

LEGISLATIVE BILL 365. Placed on Select File with amendments.

E and R amendments to L. B. 365:

1. In Standing Committee amendment, inserted matter, insert a comma in the first line after "Commission" and in the third line after "parties"; 4th line, strike: ", and upon its findings shall issue" and in lieu thereof insert: "and issue a"; strike the period in the last line, after "act" and in lieu thereof insert: ", if it finds that the said light or lights do so interfere to such an extent.".

2. In the bill, Section 1, page 2, strike the comma in line 2 after "maintain" and also after "remain" and in line 3 after "place"; line 3, insert a comma after "lights".

3. In the bill, Section 2, page 2, line 2, strike the comma after "maintained" and also after "remain".

LEGISLATIVE BILL 369. Placed on Select File with amendments.

E and R amendments to L. B. 369:

1. In the bill, Section 1, page 2, line 4, strike: "~~;~~ ;" and in lieu thereof insert: ", ;" ; line 7, insert "," after "**decedent**"; strike the word "**and**" at the beginning of line 8 and in lieu thereof insert "**or**" line 10, after "**his**" insert: "**or her**"; line 15, strike the word "be" before "paid" and in lieu thereof insert: "~~be~~ **have been**".

LEGISLATIVE BILL 385. Placed on Select File with amendments.

E and R amendments to L. B. 385:

1. In the bill, Section 1, page 2, line 5, strike the period after "number" and in lieu thereof insert: ", ."; line 7, strike the word "The" and in lieu thereof insert: "~~the~~ **The**".

2. In the bill, title, page 1, strike the word "State" at the end of the third line and in lieu thereof insert the word "the".

3. Underscore new inserted matter in Standing Committee amendment No. 3.

LEGISLATIVE BILL 387. Placed on Select File with amendments.

E and R amendments to L. B. 387:

1. In the bill, Section 1, page 2, lines 5 and 6, strike: "boards of county commissioners or supervisors" and in lieu thereof insert: "**county boards** ~~of county commissioners or supervisors~~"; lines 10 and 11, strike: "~~;~~; and the" and in lieu thereof insert: "~~;~~ ~~and the~~ . **The**"; line 13, strike: "~~;~~ ;" and in lieu thereof insert ";" ; line 18 strike the word "as" and in lieu thereof insert "~~as~~"; line 22, strike: "sections 39-227, and" and in lieu thereof insert: "~~sections~~ **section** 39-227, **C. S. Supp., 1941**, and **section**"; line 26, strike: ", but" and in lieu thereof insert: ", ~~but~~ **and**"; line 25, strike the comma after "road" and in lieu thereof insert ","; insert "," in line 3 after "roads", line 4 after "act", line 8 after "procedure", line 9 after "system", line 16 after "county", line 17 after "fund".

LEGISLATIVE BILL 396. Placed on Select File with amendments.

E and R amendments to L. B. 396:

1. In the bill, Section 2, page 2, line 2, insert a comma after "action", and after "before" and before "this", insert: "the effective date of"; line 3, strike: "takes effect, provided" and in lieu thereof, insert: ", if".

2. In the bill, title, page 1, 5th line, before "shall" insert: "for which actions no period of limitations is provided in such statute".

LEGISLATIVE BILL 402. Placed on Select File with amendments.

E and R amendments to L. B. 402:

1. In the bill, Section 1, page 2, line 12, insert the punctuation "," after "**treasurer**".

2. In the bill, title, page 1, 6th line, strike: "issuance of" and in lieu thereof insert: "election commissioner to issue".

LEGISLATIVE BILL 406. Placed on Select File.

LEGISLATIVE BILL 432. Placed on Select File with amendments.

E and R amendments to L. B. 432:

1. In the bill, Section 1, page 2, insert "," in line 5 before "which", in line 6 after "legislators" ; strike all of line 16 and in lieu thereof, insert: "by ~~the~~ a majority of ~~the~~ **its** members ~~assigned to it, and any~~ **. Any**".

LEGISLATIVE BILL 433. Replaced on Select File with amendments.

E and R amendments to L. B. 433:

1. In the bill, Section 15, subsection (5), page 7, line 47, strike: "(c)" and in lieu thereof insert "(e)".

2. In the bill, Section 17, page 8, line 8, insert a comma after "act".

LEGISLATIVE BILL 166. Correctly re-engrossed.

(Signed) James H. Anderson, Chairman.

GENERAL FILE

LEGISLATIVE BILL 418. Laid over.

LEGISLATIVE BILL 153. Mr. Greenamyre offered the following amendments, which were adopted:

1. Amend page 8 of the bill, section 20, line 15, by inserting after the punctuation at the end of the sentence the following additional matter:

"The services required of the Auditor of Public Accounts under this act shall not extend to the examination, verification or audit of the books of any municipality, but the auditor shall accept the copies of the proposed budget of municipalities submitted to him as being correct and shall perform all the duties required of him under this act at his office in the state capitol."

2. Amend pages 8 and 9 of the bill, by striking all of sections 21 and 22, and also section 23, as amended by the Raecke amendment of April 30, 1943.

3. Renumber the following sections accordingly.

Referred to E and R for review.

LEGISLATIVE BILL 332. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-second Day, were adopted.

Mr. Peterson offered the following amendments, which were adopted:

Strike the word "county" in line 2, the words "of such county, if a county be a depositor or within the boundaries" in lines 5 and 6, and amend title to conform.

Referred to E and R for review.

LEGISLATIVE BILL 293. Mr. Conklin moved to postpone indefinitely.

The motion was lost with 3 ayes, 24 nays, 16 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 184. Mr. Gutoski asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Gutoski offered the following amendments, which were adopted:

Amend page 7, Sec. 5, line 6, by striking the words "and contracts for polling places" and insert in lieu thereof ", materials and equipment"; and amend line 9 of Sec. 5, by inserting after the word "services" the following: "except election contractual services".

Referred to E and R for review.

LEGISLATIVE BILL 339. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Lee offered the following amendment, which was adopted:

Add the emergency clause to the title of the bill.

Referred to E and R for review.

LEGISLATIVE BILL 214. Mr. Crosby asked that unanimous consent be granted to waive reading the bill and the Standing Committee amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Referred to E and R for review.

Approved by the Governor

May 1, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 284 L. B. 303

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

Recess

At 11:58 a.m. on motion by Mr. Sorrell the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m. President Johnson presiding.

The roll was called and all members were present except Messrs. Carmody, Hanna, Neubauer and Rakow, who were excused.

GENERAL FILE

Special Order

Speaker Crosby Presiding

LEGISLATIVE BILL 145. The Lee amendments, offered on the Seventy-ninth Day, were considered.

Mr. Cullingham moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 31 ayes, no nays, 13 not voting.

Record vote was requested on the Lee amendments.

Voting in the affirmative, 9:

Foster
Gutoski
Lee
Mekota
Mischke
Norman
Sorrell
Thomas
Tvrdik

Voting in the negative, 16:

Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Doyle
Gantz
Greenamyre
Hubka
Matzke
Osborne
Peterson
Raecke
Reavis

Not voting, 18:

Anderson, D. S.
Asimus
Burnham
Carmody
Craven
Dooley
Garber
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Mueller
Neubauer
Ogden
Rakow
Thompson
Weborg

The amendments were not adopted.

Mr. Greenamyre presiding

Mr. Craven offered the following amendments, which were adopted:

Amend section 3 of the Standing Committee Amendments to L. B. 145 as follows:

1. By inserting in rule 16, subdivision (a) in line 2 thereof after the word "discretion" the following punctuation and words: ", in the absence of a stipulation to the contrary by the parties,".

2. Amend rule 16, subdivision (a), subsection (3), line 8 by inserting after the semicolon following the word "proof" the following words and punctuation: "provided, however, the court shall not have power to order any party to admit a fact, or admit that any document is genuine, or that it may be received in evidence without the consent of said party;".

3. Amend rule 16, subdivision (a), subparagraph (4), by inserting after the semicolon in line 9 following the word "witnesses" the following words and punctuation: "provided, however, the court shall not have power to direct the number of expert witnesses either party may call;".

4. Amend rule 16, subsection (a), subparagraph (5) by striking the period after the word "jury" in line 12 and inserting after the word "jury" in line 12 the following punctuation and words: "semicolon provided, the court shall in no event order a preliminary reference of issues to a master for findings to be used as evidence when the trial is by a

jury unless such submission is agreed to by the parties by written stipulation."

That the Committee Amendments to L. B. 145 be amended as follows:

1. That section 4, rule 30, section (b), lines 6, 7 and 8 be amended by striking out the following words appearing after the word "order" in line 6: "that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice".

2. Amend section 4, rule 30, subdivision (b), lines 9, 10 and 11 by striking therefrom the following words: "or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or".

3. Amend section 4, rule 30, subdivision (b), lines 17, 18 and 19 by striking the semicolon after the word "court" in line 17 and the following words following the semicolon: "or the court may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression".

Mr. Garber offered the following amendments:

I move to amend the standing committee amendments as amended by striking out all of the standing committee amendments as amended and to substitute in lieu thereof the following: That the printed bill (L. B. 145) be amended as follows:

1. That section 1 of the printed bill be amended as follows:

Line 4, section 1, beginning with the word "are," strike out all the remaining matter of the section in lines 4, 5, 6, 7, 8 and 9, and in lieu thereof substitute the following: "Be and the same are hereby disapproved and rejected."

2. That a new section designated as section 2 be added, such section 2 to read as follows: "Section 2. Sections 27-231, 27-232, 27-233, 27-234, 27-235, 27-236, 27-237 C. S. Supp., 1941, are hereby repealed."

3. Amend the title of printed bill (L. B. 145) as follows:

After the words "FOR AN ACT to" strike out all of the title and in lieu thereof substitute the following: "disapprove and reject the rules of practice and procedure promulgated by the Supreme Court of Nebraska on April 20, 1942, and reported to this regular session of the Legislature and to repeal sections 27-231, 27-232, 27-233, 27-234, 27-235, 27-236, 27-237 C. S. Supp. 1941."

After discussion, Mr. James H. Anderson moved the previous question.

The Chair put the question, "Shall the debate now close?"

The motion was lost with 15 ayes, 14 nays, 14 not voting.

MOTION—To Adjourn

Mr. Sorrell moved to adjourn.

The motion was lost.

GENERAL FILE (Continued)

LEGISLATIVE BILL 145. The bill was considered further.

Adjournment

At 5:00 p.m. on motion by Mr. Mueller, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 4, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Neubauer and Rakow, who were excused.

The Journal for the Eighty-second Day was approved as corrected.

Approved by the Governor

May 3, 1943.

To the President, the Speaker, and
Members of the Legislature:

Gentlemen:

I wish to inform your honorable body that I have today approved Legislative Bill No. 60.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 38. Replaced on Select File with amendments.

E and R amendments to L. B. 38:

1. In legislature amendment No. 2, by Mr. Raecke, adopted May 3, 1943, 3rd line, strike: "the words"; 4th line, after "decree" and before the quotation mark, insert "," and after the figure "7" insert: "and amendments thereto".

2. In legislature amendment No. 5, by Mr. Raecke, inserted matter, 5th line, strike the comma after "corporation" and in lieu thereof insert "or" and at the end of said line, insert a comma after "district"; 9th line, insert a comma after "and" and before "upon".

3. In legislature amendment No. 6, by Mr. Raecke, 2nd line, before "the following" insert: "and the comma inserted by Enrollment and Review Committee amendment No. 15"; 3rd line, strike the comma after the quotation mark and before the word "in".

4. In legislature amendment No. 7, by Mr. Raecke, strike all of the 2nd line and in lieu thereof insert: "by inserting after "year," and in the 2nd line of the inserted matter, insert a comma after "year" and before "in".

LEGISLATIVE BILL 363. Placed on Select File with amendments.

E and R amendments to L. B. 363:

1. In Standing Committee amendment, 4th line, strike: "; **or in**" and in lieu thereof insert: "**. In**"; insert "**,**" in the 1st line after "**court**", 2nd line after "**authorized**", 5th line after "**court**".

2. In the bill, Section 1, pages 2, 3, 4, 5 and 6, line 5, strike the comma after "executors"; line 12, after "of" and before "the" insert: "**either**"; line 13, strike the semicolon before "or" and in lieu thereof insert "~~;~~**,**"; strike "interest-bearing" at the end of line 18 and in line 25, and in lieu thereof insert: "~~interest-bearing~~" "**interest bearing**"; strike the comma and in lieu thereof insert "~~,~~**;**" in line 20 before "or", line 62 after "bank"; insert "**,**" in line 27 after "**and**", line 28 after "**Nebraska**", line 63 after "estate", line 64 after "Nebraska", line 72 after "corporation", line 73 after "thereof", line 77 after "that", line 78 after "made", line 79 after "given", line 80 after "use", line 86 after "**period**", line 87 after "**purchase**", line 105 after "**corporation**", line 106 after "**purchase**", line 115 after "**corporation**" in both places, line 116 after "**purchase**"; line 38, after "by" insert "**a**"; lines 39 and 40, strike: "not exceeding" and in lieu thereof insert: "~~not exceeding~~ **and which mortgage is not larger than**"; line 41, before "improvements" insert "**the**" and at the end of the line strike ";" and in lieu thereof insert: "~~;~~ ;"; line 45, strike the comma after "**trust**"; line 70, strike "of" after "interest" and in lieu thereof insert: "~~of~~ **on**"; line

84, strike the comma after "**bridges**"; line 87, before "**date**" insert "**the**"; line 90 strike "**provided**" and in lieu thereof insert "**if**"; line 95, strike the comma after "**profits**"; line 100, before "**principal**" insert "**its**"; strike the word "**by**" at the beginning of line 107; at the end of line 145, after "**under**" insert the word "**the**".

LEGISLATIVE BILL 394. Placed on Select File with amendments.

E and R amendments to L. B. 394:

1. In the General File amendment by Mr. Craven, adopted April 30, strike: "1 of the printed bill, after the word "subdivision" ", and in lieu thereof, insert: "2 of the printed bill, after the word "district" and before the word "which" "; in the inserted matter, 1st line, strike the word "or" after "public power district" and in lieu thereof insert a comma, strike the word "or" at the beginning of the 2nd line and in lieu thereof insert a comma, and in said line strike the comma after "district" and before "or".

2. In the bill, strike the word "any" in the following places: Section 1, page 2, line 1, before "school"; line 2, before "legally"; Section 7, page 4, line 1, before "city"; Section 9, page 5, line 1, before "school"; insert the word "such" in Section 1, page 2, line 13, before "legally"; Section 4, page 3, line 5, before "district"; Section 7, page 4, line 4, before "legally"; line 9 before "legally", line 11 before "district or", line 22 before "district shall"; Section 9, page 5, at the end of line 1, after "any"; line 15, after "or" and before "district"; Section 10, page 5, line 1, after "Any"; Section 11, page 6, at the beginning of line 2 before "legally" and at the beginning of line 8, before "legally".

3. In the bill, Section 1, page 2, line 6, strike the word "such" and at the end of the line, strike the word "may" and in lieu thereof insert: "not excepted from this act, may,"; strike the word "and" at the beginning of line 12.

4. In the bill, Section 2, page 3, lines 4 and 5, strike: "shall the rate of interest exceed" and in lieu thereof, insert: "in excess of".

5. In the bill, Section 3, page 3, lines 1 and 2, strike: "municipality or of the" and in lieu thereof insert: "political subdivision,"; line 2, strike: "of the" and in lieu thereof insert "such"; line 6, strike the word "and" before "that"; line 7, after "interest" insert "at"; line 10, strike "or" after "secretary" and in lieu thereof insert a comma; line 11, after "or" insert "such"; line 12, strike: "and shall" and in lieu thereof insert ","; at the end of line 14, after "or" insert "such"; line 15, strike "shall".

6. In the bill, Section 4, page 3, strike: "in that event" at the end of line 3; line 11, strike: "of the" and in lieu thereof insert "such".

7. In the bill, Section 5, page 3, lines 1 and 2, strike: "and shall be" and in lieu thereof insert a comma; line 3 strike the word "shall".

8. In the bill, Section 6, page 4, line 2, strike "of" before "such"; line 4, after "therein" insert: ", except intangible property,".

9. In the bill, Section 7, pages 4 and 5, line 11, strike "of" after "or"; line 17, after "subsequent" insert "levy"; line 22, strike: "or the" and in lieu thereof insert a comma; line 24, strike: ", and the" and in lieu thereof insert: ". The"; strike the period at the end of line 28 and in lieu thereof, insert: "or notes.".

10. In the bill, Section 9, page 5, strike all of line 11 after "village" and the word "therefrom" at the beginning of line 12, and in lieu thereof insert: "excluding interest thereon and also"; line 13, strike: "or by"; line 17, strike the word "the" before "school" and in lieu thereof insert "such".

11. In the bill, Section 10, page 5, line 2, after "as" and before "by" insert the word "authorized"; line 3, strike the word "authorized".

12. Insert the punctuation "," in the bill, in the following places: Section 1, line 2, after "which", line 3 after "act", line 9 after "dollar" and before "as", at the end of line 11 after "to"; Section 2, pages 2 and 3, line 2 after "warrants", line 3 after "interest" and before "and"; Section 3, at the end of line 2 after "shall", line 4 after "proceedings"; Section 4, line 1 after "electors", line 2 after "election" and also after "protest", line 9 after "stated"; Section 7, page 4, line 19, after "warrants" and also after "provided", line 21 after "money" and also after "authorized"; Section 8, line 1 after "indebtedness", line 2 after "hereof", line 4 after "sum", line 5 after "interest" and also after "year", line 6 after "loan"; Section 9, page 5, line 2 after "district"; Section 11, page 6, at the end of line 2 after "money", at the end of line 3 after "act"; strike the comma in Section 8, page 5, line 3 after "loan"; in Section 12, page 6, line 1 after "paragraph" and in line 6 after "paragraph" and also after "thereof".

13. In the bill, title, page 1, 3rd line, strike: "or any"; 4th line, after "district" and before "or" insert: ", not expressly excepted from the provisions hereof," and in said line, strike: "of any"; 13th line, strike: "or any" and in lieu thereof insert a comma, and in said line, after "class" insert a comma; 16th line, strike the word "any" and in lieu thereof insert "such"; page 2, 10th line, strike: ", or" and in lieu thereof insert: "or such".

(Signed) James H. Anderson, Chairman

LEGISLATIVE ADMINISTRATION

Monthly Report Legislative Expenditures

Officers' and Employees' Salaries For the Month of April, 1943

May 1, 1943.

To the Members of the Legislature:

Your committee begs leave to submit the following report covering salaries, officers, and employees of the Legislature, for the month of April, 1943.

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Roy J. Becker	Asst. Clerk	26 da	8.00	208.00	7.80	200.20
J. W. Lundy	Sgt. at Arms	28 da	5.00	140.00	4.40	135.60
Clarence Linch	(Omitted Time	(2 da				
	(Asst. Sgt. at Arms	(28 da	4.50	135.00	4.15	130.85
Martin J. Pedersen	Postmaster	26 da	4.50	117.00	3.24	113.76
Leonard L. Chambers	Chaplain	26 da	4.50	117.00	3.24	113.76
Mildred Faulkner	Secy. to Lt. Gov.	26 da	5.00	130.00	3.90	126.10
Lyda Hafer	Journal Clerk	26 da	6.00	156.00	5.20	150.80
Barbara Payne	Asst. Journal Clerk	26 da	5.00	130.00	3.90	126.10
Hollis S. Thurber	Bookkeeper	26 da	5.50	143.00	4.54	138.46
Clara C. Turbyfill	Engrossing Clerk	26 da	6.00	156.00	5.20	150.80
Juanita DeArmond	Asst. Engros. Clerk	26 da	5.00	130.00	3.90	126.10
Jo Lacy Fisher	Committee Clerk	24 da	5.00	120.00	3.40	116.60

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Isabella M. Moore	Committee Clerk	(2 da S.A.	2.00			
		(24 da	5.00	124.00	3.60	120.40
Patricia Anstine	Committee Clerk	26 da	5.00	130.00	3.90	126.10
Marcella Allen	Committee Clerk	26 da	5.00	130.00	3.90	126.10
Lorraine Schwenk	Committee Clerk	26 da	5.00	130.00	3.90	126.10
Katherine Cannell	Committee Clerk	25 da	5.00	125.00	3.65	121.35
Nellie Von Dorn	Committee Clerk	30 da	5.00	150.00	4.90	145.10
Virginia Connelly	Committee Clerk	25 da	5.00	125.00	3.65	121.35
Ruth Case Bordsen	Stenographer	25 da	5.00	125.00	3.65	121.35
Julia J. Bristow	Stenographer	26 da	5.00	130.00	3.90	126.10
Irma Campbell	Omitted time	(½ da	5.00			
	Omitted time	(3½ da S.A.	2.00			
	Stenographer	(22½ da	5.00	122.00	3.49	118.51
Bertha Ann Daggett	Stenographer	25 da	5.00	125.00	3.65	121.35
Eunice France	Stenographer	25 da	5.00	125.00	3.65	121.35
Mary Belle Heasley	Stenographer	20½ da	5.00	102.50	2.52	99.98
Gwenda Lee Holmes	Stenographer	21½ da	5.00	107.50	2.77	104.73
Elaine Hopkins	Stenographer	15 da	5.00	75.00	1.20	73.80
Hazel McBride	Stenographer	26 da	5.00	130.00	3.90	126.10
Mary Morrison	Stenographer	24 da	5.00	120.00	3.40	116.60
Phyllis Smyth	Stenographer	25 da	5.00	125.00	3.65	121.35
Willalee Spelts	Stenographer Overtime	(5 hrs	.62½			
		(9 da	5.00	48.13	1.11	47.02

Rita Thornton	Stenographer	25	da	5.00	125.00	3.64	121.36
Delia Rankin	Office Assistant	26	da	5.00	130.00	3.90	126.10
Dorothy Scott-Glenn	Mimeo-Stencils	24	da	5.00	120.00	3.40	116.60
Evelyn Jonas	Chief Page & Messgr	23	da	4.25	97.75	2.29	95.46
Marjorie Turner	Asst. Page & Messgr	22	da	4.00	88.00	1.80	86.20
Ruth Lindburg	Asst. Page & Messgr	(2½	da S.A.	2.00			
		(21	da	4.00	89.00	1.85	87.15
Lillie Wittstruck	Asst. Page & Messgr	23	da	4.00	92.00	2.00	90.00
G. F. Martin	Chief Bill Clerk	26	da	5.00	130.00	3.90	126.10
Aly E. Druesedow	Asst. Bill Clerk	26	da	4.50	117.00	3.24	113.76
F. L. Gallagher	Asst. Bill Clerk	26	da	4.50	117.00	3.24	113.76
Gus E. Neuman	Asst. Bill Clerk	9	da	4.50	40.50	.72	39.78
David D. Haney	Asst. Bill Clerk	26	da	4.50	117.00	3.24	113.76
L. G. Viox	Asst. Bill Clerk	26	da	4.50	117.00	3.24	113.76
G. H. Quackenbush	Asst. Bill Clerk	26	da	4.50	117.00	3.24	113.76
E. J. Keogh	Asst. Custodian	26	da	4.00	104.00	2.60	101.40
Dudley Wright	Asst. Custodian	26	da	4.00	104.00	2.60	101.40
O. J. Burckhardt	Asst. Custodian	26	da	4.00	104.00	2.60	101.40
Ernest Fouts	Asst. Custodian	26	da	4.00	104.00	2.60	101.40
Elizabeth Sheehan	Telephone Operator	26	da	4.00	104.00	2.60	101.40
Grace Leavitt	Proofreader	178½	hrs	.60 hr	107.10	2.75	104.35
Orma Hull Kline	Proofreader	178½	hrs	.60 hr	107.10	2.75	104.35
Marguerite Price	Committee Clerk	1	mo	150.00	150.00	4.90	145.10

Name	Position	Days Hrs.-Mo.	Rate	Amt.	Victory Tax	Amt. Paid
Michael Gergen	Chief Custodian	1 mo	125.00	125.00	3.65	121.35
C. M. McGrath	Cloak Room Attdt	1 mo	100.00	100.00	2.40	97.60
Clarence Davis	E & R Attorney	1 mo	375.00	375.00	16.15	358.85
				6,912.58	202.56	6,710.02
Collector of Internal Revenue 1st Quarter Victory Tax						549.35
				Grand Total		7,259.37

Respectfully submitted,
(Signed) Klaver, Chairman

Select File

LEGISLATIVE BILL 139. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Mr. Foster offered the following amendments, which were adopted by unanimous consent:

Amend Legislative Bill 139, Section 12, page 8, in line 34, by inserting after the word "services" the following, "or any price or prices of corrective devices or services."

Mr. Sorrell and Harry A. Foster, as co-introducers, offered the following amendment, which was adopted by unanimous consent:

On page 14, Section 20, strike all of line 46 following the figures "1929", all of line 47, and all of line 48 before the punctuation period.

Referred to E and R for engrossment.

LEGISLATIVE BILL 95. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Laid over.

LEGISLATIVE BILL 182. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 433. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 145. Mr. Garber renewed his motion to adopt his amendments, found in the Legislative Journal for the Eighty-second Day.

Mr. Mueller moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 28 ayes, no nays, 15 not voting.

Record vote was requested.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Forty-one members were present.

Mr. Foster moved to raise the call.

The motion was lost with 19 ayes, no nays, 14 not voting.

Mr. Mueller changed his vote from aye to nay and moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Mr. Mueller changed his vote from nay to aye.

Mr. James H. Anderson moved a call of the House.

The motion was lost with 17 ayes, 17 nays, 19 not voting.

Voting in the affirmative, 20: (Garber amendments)

Asimus
Burnham
Carmody
Dooley
Foster
Garber
Gutoski
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mueller
Norman
Ogden
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 20:

Anderson, James H.
Bowman
Brodahl
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Gantz
Greenamyre
Hanna
Hubka
Matzke
Mischke
Osborne
Peterson
Raecke
Reavis
Thompson

Not voting, 3:

Anderson, D. S.	Neubauer	Rakow

The Garber amendments were not adopted.

Mr. Craven offered the following amendments, which were adopted:

1. Amend Standing Committee amendment 1, line 4 of the amendment and line 1 of the quoted substitution by striking the word "and" after the figures, punctuation and letter "16(a)", substituting a comma in lieu thereof, and then inserting after the figures, punctuation and letter "30(b)" the following: ", and 43(o) (1)".

2. Add a new section, to be numbered 5 reading as follows: "Sec. 5. Rule 43 (o) (1) is amended to read as follows:

(o) Composite Reports as Evidence.

(1) A written report or finding of facts prepared by an expert not being a party to the cause, nor an employee of a party, except for the purpose of making such report or finding, nor financially interested in the result of the controversy, and containing the conclusions resulting wholly or partly from written information furnished by the co-operation of several persons acting for a common purpose, shall, in so far as the same may be relevant, be admissible when testified to by the person, or one of the persons, making such report or finding, without calling as witnesses the persons furnishing the information, ~~and without producing the books or other writings on which the report or finding is based~~, if, in the opinion of the court, no substantial injustice will be done the opposite party."

3. Amend Standing Committee amendment 3, line 4 of the amendment and line 2 of the quoted substituted title by striking the word "and" after the figure, punctuation and letter 16(a), substituting a comma in lieu thereof, and then inserting after the figures, punctuation and letter 30(b) the following: ", and 43(o) (1)".

Mr. Mekota offered the following amendments, which were adopted:

1. Amend Standing Committee amendment 1, as amended, line 4 of the amendment and line 1 of the quoted substitute by striking the word "and" after the figures "30(b)" and then substituting after the figures, punctuation and letter 43(o) (1) the following: ", and 43(o) (4)".

2. Add a new section to be numbered 5, reading as follows: "Sec. 5. Rule 43 (o) (4) is amended to read as follows: (4) Such report or finding shall not be admissible unless the party offering it shall have given notice to the adverse party a reasonable time before trial of his intention to offer it, together with a copy of the report of finding, or so much thereof as may relate to the controversy, and shall also have afforded him a reasonable opportunity to inspect and copy any records or other documents in the offering party's possession or control, on which the report or finding was based, and also the names of all persons furnishing facts upon which the report or finding was based. ~~, except that it may be admitted if the trial court finds that no substantial injustice would result from the failure to give such notice.~~"

3. Amend Standing Committee amendment 3, as amended, line 4 of the amendment and line 2 of the quoted substitute title by striking the word "and" after the figure, punctuation and letter "30(b)", and then inserting after the figure, punctuation and letter 43(o) (1) the following: ", and 43 (o) (4)".

Mr. Mekota re-offered the Garber motion to amend, found in the Legislative Journal for the Eighty-second Day.

Visitor

Mr. Klaver introduced Mr. M. C. Westley of Brainard, a former member of the Legislature.

GENERAL FILE (Continued)

Mr. Anderson moved a call of the House.

A call of the House was ordered.

Forty-one members were present.

Mr. Gutoski moved to raise the call.

The motion prevailed with 21 ayes, 7 nays, 15 not voting.

Record vote was requested on the Mekota motion.

Voting in the affirmative, 20:

Asimus
Burnham
Garber
Gutoski
Klaver
Lee
Ogden
Sorrell

Carmody
Dooley
Foster
Heiliger
Jeffords
Jeppesen
Mekota
Mueller
Norman
Thomas
Tvrdik
Weborg

Voting in the negative, 19:

Anderson, James H.
Bowman
Brodahl
Conklin
Craven
Crosby
Crossland
Cullingham
Gantz
Greenamyre
Hanna
Hubka
Matzke
Mischke
Osborne
Peterson
Raecke
Reavis
Thompson

Not voting, 4:

Anderson, D. S.
Doyle
Neubauer
Rakow

The Mekota amendments were adopted.

Recess

At 12:00 m., on motion by Mr. Foster the Legislature recessed until 1:30 p.m.

After Recess

The Legislature reconvened at 1:30 p.m. Mr. Brodahl presiding.

The roll was called and all members were present except Mr. Mischke, and except Messrs. Thomas, Neubauer and Rakow, who were excused.

GENERAL FILE

President Johnson Presiding

LEGISLATIVE BILL 145. Mr. Sorrell moved to refer the bill to E and R for review as amended.

The motion prevailed with 18 ayes, 7 nays, 18 not voting.

LEGISLATIVE BILL 204. Mr. Cullingham moved that the mimeographed copy, as prepared, be substituted for the original bill 204.

The motion prevailed.

Mr. Cullingham offered the following amendments, which were adopted:

1. Amend page 3 of the mimeographed amendments, section 2, line 4, by inserting after the word "corporate" the following words: "and a political subdivision of this state".

2. Amend page 5 of the mimeographed amendments, section 4, by striking lines 40 and 41 and inserting the following in lieu thereof: "metropolitan area except in or to another state or except for trunk transmission lines, and such commission may not add to, increase or enlarge its area and territory by the addition and inclusion of territory which is not embraced within the metropolitan area."

3. Amend page 8 of the mimeographed amendments, section 8, line 2, by striking the word "Vice-President" and inserting in lieu thereof the word: "Vice-Chairman".

4. Amend page 10 of the mimeographed amendments, section 10, line 7, by inserting after the word "property" the following words and punctuation: ", including franchises,".

5. Amend page 11 of the mimeographed amendments, section 11, by striking lines 1 to 14, inclusive, and inserting the following in lieu thereof: "The commission is hereby authorized and empowered to acquire by purchase, acquisition of stock or condemnation under the power of eminent domain, an electrical system as set forth in section 4 of this act, solely from funds provided under the authority of this act. The commission may acquire, by purchase, within the metropolitan".

6. Amend page 12 of the mimeographed amendments, section 11, line 45, by striking the word "section" and inserting in lieu thereof the word: "act".

7. Amend page 12 of the mimeographed amendments, section 11, by striking all of lines 48, 49 and 50, and inserting in lieu thereof the following: "metropolitan area, except as provided in section 4 of this act."

8. Amend page 14, of the mimeographed amendments, section 13, line 9, by inserting after the word "commission" the following: ", not in excess of five per cent of the acquisition price,".

9. Amend page 15 of the mimeographed amendments, section 14, by striking all of line 8 and the words and punctuation "thereof to

anyone whomsoever, or" in line 9 and inserting in lieu thereof the word: "for".

1. Amend page 12 of the mimeographed amendments, section 11, line 44, by striking the period and inserting a comma in lieu thereof and adding:

"the costs therein incurred and expended, and allowed by the condemnation court, may be included in capital structure as a part of the purchase price."

1. Amend section 12, line 49, of the mimeographed copy of Legislative Bill 204, as amended, by inserting after the word "district" the following: ", political subdivision or other public corporation or body".

2. Amend section 12, line 50, of the mimeographed copy of Legislative Bill 204, as amended, by inserting after the word "state" the following: ", except a Peoples Power Commission organized under this act,".

Mr. Crosby offered the following amendments, which were adopted:

Amend L. B. 204, Sec. 13, of mimeographed amendments, line 14, by inserting after the word "notes" the following words and punctuation: ", through a receiver appointed by and under the control of a court of competent jurisdiction".

Further, amend Sec. 13, line 24, by inserting after the word "default" the following words and punctuation: ": Provided further, that neither by sale under foreclosure, receivership, or bankruptcy proceedings, or by alienation in any other manner, may the property of the Commission become the property or come under the control of any private person, firm, or corporation engaged in, or to be engaged in, the business of generating, transmitting or distributing electricity for profit".

Amend the mimeographed copy of L. B. 204, as amended, Sec. 5, line 5, by striking the words "Metropolitan City" and substituting therefor the following words: "county in which the Metropolitan City is located".

1. Amend the mimeographed copy of Legislative Bill 204, as amended, section 6, line 11, by inserting after the word "the" the following: "county in which the" and by inserting in the same line after the word "city" the following: "is located".

2. Amend the mimeographed copy of Legislative Bill 204, as amended, section 6, line 20, by inserting after the word "the" and before the word "metropolitan" the following: "county in which the" and by inserting in the same line after the word "city" the following: "is located".

3. Amend the mimeographed copy of Legislative Bill 204, as amended, section 6, line 29, by inserting after the word "the" and before the word "metropolitan" the following: "county in which the" and by inserting in the same line after the word "city" the following: "is located".

4. Amend the mimeographed copy of Legislative Bill 204, as amended, section 6, line 43, by inserting after the word "the" and before the word "metropolitan" the following: "county in which the" and by inserting in the same line after the word "city" the following: "is located".

1. Amend page 3 of the bill, by inserting after section 3, a new section to be numbered 4 and reading as follows:

"Sec. 4. If the members of the Power Commission have not been appointed within six months after the effective date of this act, the qualified electors of the Metropolitan City may, by initiative, as hereafter described, require the appointment of members of the Power Commission, and the acquisition and appropriation of any electric plant serving the major portion of the ultimate consumers of electric service in such city through the exercise of the power of eminent domain. The following shall be substantially the form for initiating the appointment of such members and the acquisition and appropriation of such electric plant:

Initiative Petition.

We, the undersigned, legal voters of the State of Nebraska, and of the City of ...., being severally qualified to sign this petition, respectfully demand that the proposition to require appointment of members of the Peoples Power Commission of ...., and to require said Commission, through the exercise of the power of eminent domain, to acquire and appropriate the electric plant of (**Here insert the name of the company, or the owner or owners thereof, of the electric plant**), shall be submitted to the voters of the City of .... for their approval or rejection at an election to be called for that purpose, and each for himself says: I have personally signed this petition of the date opposite my name; I am a legal voter of the State of Nebraska, and of the City of ...., and am qualified to sign this petition; my street address or voting precinct is correctly written after my name.

....	....	....
Date	Name	Street number or voting precinct.

(Here follow fifty lines for signatures.)

At least ten of the persons signing the petition shall make an oath before a competent officer that they are duly qualified voters, residing in the Metropolitan City as stated after their signatures attached to the petition, and that they believe all the other persons who signed such proposal are also duly qualified voters and that they believe all the signatures thereto attached to be genuine. Such petition shall be required to be signed by five per cent of the legal voters of the Metropolitan City and shall be filed with the clerk of such city. If, upon investigation thereof, the city clerk finds that the petition is signed by the requisite number of legal electors of the Metropolitan City, he shall cause the proposition to be submitted at the next general election if there be one not less than thirty days nor more than one hundred twenty days from the date of filing of the initiative petition, or if there be no general election within that period, then at a special election called for that purpose. Such election shall be called, proclaimed, held, conducted and canvassed in the same manner as general or special elections in such Metropolitan City with respect to amendments or repeals of the charter of such city. The proposition to be submitted at such election shall be substantially as follows:

"Shall members be appointed for the Peoples Power Commission of the City of ...., with specific direction to proceed, through the exercise of the power of eminent domain, to appropriate and acquire the electric power plant, distribution system and transmission lines of **(Here insert the name of the concern, or the owner or owners of the electric plant)**, both within and without the limits of the city?

Yes.......................................

No.."

If a majority vote in favor of the proposition, it shall be the duty of the Mayor and City Council to forthwith appoint the members of the Peoples Power Commission, in the manner provided in section 3 of this act, and it shall be the duty of the Commission thus appointed to proceed promptly to institute condemnation proceedings to appropriate and acquire the electric plant as directed, in the manner prescribed in this act."

2. Amend page 3 of the bill, by inserting after the new section 4, another section to be numbered 5, reading as follows:

"Sec. 5. If the Power Commission has not, within one year after the appointment of its original members, acquired the electric plant serving the major portion of the ultimate consumers within the Metropolitan City, then the electors may require the commission to acquire the electric plant by the exercise of the power of eminent domain by the initiative process in the same manner as provided in section 4 of this act. The proposition to be submitted to the electors shall be stated as follows:

"Shall the Peoples Power Commission proceed, through the exercise of the power of eminent domain, to appropriate and acquire the electric power plant, distribution system and transmission lines of **(Here insert the name of the concern, or the owner or owners of the electric plant)**, both within and without the limits of the city of ....?

Yes.....................................

No......................................"

3. Renumber subsequent sections to correspond to the amendment herein made.

Mr. Lee offered the following amendment, which was adopted:

Amend mimeographed bill, line 9, Section 13, by striking the period in said line and adding thereto "or a refunding of such bonds."

Mr. Peterson offered the following amendments, which were adopted:

Amend Section 23 by inserting a period after the word "cities" in line 3 and by striking all of said section following the same.

Amend Legislative Bill 204 by adding at the end of Section 15 the following: "The Commission shall utilize electric energy generated by water power by Public Power Districts in Nebraska, so far as practical, when offered to the Commission at a reasonable price, but such electrical energy generated by means of water power shall not be transmitted or sold beyond the confines of this state unless all persons, firms or corporations, including municipal corporations and rural electrification districts, located in Nebraska desiring to use such electrical energy and offering to pay a reasonable price therefor have first been supplied".

Mr. Raecke offered the following amendment, which was adopted:

Amend page 6 of the amended bill, section 5, line 34, by inserting after the words and punctuation "office," the following words: "and no person who is now, or who has been, at any time within ten years prior to his appointment, an officer or employee of any corporation, the property or capital stock of which corporation is acquired or is to be acquired by such Commission,".

Mr. Garber offered the following amendment:

Amend L. B. 204, mimeographed bill, as follows:

In Section 3, line 37, after the period following the word "payment", insert the following: The consideration, purchase price or prices shall be determined by a Board consisting of the Federal Power Commission, the Securities and Exchange Commission, and the Nebraska Railway Commission, and such consideration, price, or prices shall be publicly announced by publication for eight consecutive days in the newspaper of largest circulation in the District served by such Power Company; Provided, if the Federal Power Commission, the Securities Exchange Commission and the Nebraska Railway Commission can not agree upon a consideration, purchase price, or prices shall be the average of the three figures determined or fixed by each of the three said Commissions.

Record vote was requested.

Voting in the affirmative, 8:

Asimus
Carmody
Doyle
Garber
Jeffords
Jeppesen
Osborne
Weborg

Voting in the negative, 21:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Klaver
Norman
Ogden
Peterson
Raecke
Reavis
Tvrdik

Not voting, 14:

Burnham
Craven
Heiliger
Hubka
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Rakow
Sorrell
Thomas
Thompson

The amendment was not adopted.

Mr. Thompson offered the following amendments, which were adopted:

Amend Legislative Bill 204 as amended, as follows: Amend Section 3, Line 34 of the mimeographed bill by inserting after the word "plant" the words "or the capital stock of any company owning any such plant".

Amend Legislative Bill 204 as amended, as follows:

Amend Sec. 9, line 9, page 10, by inserting after the word "property" the following words and punctuation: "; provided that this section shall not be construed to, in any way, limit the rights of any other person or of the general public to have an unqualified right to inspect the books and records of the Commission at any time during reasonable business hours".

Amend L. B. 204 as amended, as follows:

Amend Sec. 12, lines 1 to 9, page 12, by striking lines 1 to 9 and inserting in lieu thereof "Any public power district organized under the laws of this state, except a public power district which operates or owns property in more than 20 counties, may acquire by purchase or condemnation, the rural distribution lines and accessories of the Commission which are within the corporate limits of any such public power district but are outside the limits of any incorporated cities or villages; but such public power district may not take by condemnation any lines of the Commission which are used or necessary for the transmission of current to any city or village or public power district beyond the lines so taken and still being served by the Commission.

Mr. Thompson offered an amendment which was lost with 6 ayes, 18 nays, 19 not voting.

Mr. Thompson offered amendments to Sec. 12 and Sec. 15, which were lost.

Mr. Thompson moved to strike Sec. 25 and Sec. 26.

The motion was lost with 9 ayes, 15 nays, 9 not voting.

Mr. Cullingham offered the following amendment, which was adopted:

That the title be amended by Committee on Enrollment and Review to conform to the amendments adopted.

Mr. Cullingham moved to refer to E and R for review.

The motion prevailed with 23 ayes, 2 nays, 18 not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 31. Investigation of Highways.

Introduced by Harry E. Gantz of Box Butte

WHEREAS, many of the highways which constitute a part of the state highway system are in a bad state of repair, and particularly those highways of bituminous or oil mat construction situated in the western part of the state; and

WHEREAS, the poor condition of such highways is not only causing additional accidents, with attendant personal injuries and property damages, but is also causing great damage to tires, which, in view of the present rubber shortage, is highly detrimental to the war effort; and

WHEREAS, the Department of Roads and Irrigation advises that the United States government refuses to authorize construction or reconstruction of highways except in certain emergencies; and

WHEREAS, the State of Nebraska has millions of dollars invested in the highways already constructed in this state, which investment is threatened with great loss if such highways cannot be adequately maintained and kept in repair;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

1. That a committee of four be appointed by the President to investigate and report what can be done to improve the conditions of

the highways of this state and thereby guard against loss to the millions of dollars that the State of Nebraska has invested in such highways.

Mr. Gantz moved that the rules be suspended and the resolution adopted at once.

The motion prevailed with 32 ayes, no nays, 11 not voting and the President appointed the following members to serve on said committee:

Gantz Garber Osborne Hanna

Member Excused

Mr. Greenamyre was excused on Wednesday from 9 to 10 and from 11:00 to 11:30 a.m.

Special Order

Mr. Greenamyre moved that L. B. 440 be made special order of business on General File May 5, 1943, as soon as General File is reached, and that L. B. 286 be considered immediately following L. B. 440.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. 191
L. B. 197
L. B. 223
L. B. 225
L. B. 239
L. B. 246
L. B. 249
L. B. 269
L. B. 351
L. B. 407
L. B. 429

Correctly enrolled

L. B. 251
L. B. 294
L. B. 322
L. B. 410
L. B. 416

(Signed) James H. Anderson, Chairman

Signed by the President

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 251	L. B. 322	L. B. 410	L. B. 416
L. B. 294			

Adjournment

At 5:05 p.m. on motion by Mr. Weborg, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 5, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Matzke, who was excused.

The Journal for the Eighty-third Day was approved as corrected.

Petitions and Memorials

A petition, addressed to all members, was read opposing L. B. 117.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 129. Placed on Select File with amendments.

E and R amendments to L. B. 129:

1. Strike Section 1, of the bill, and the amendments thereto, and in lieu thereof insert the following:

Section 1. That section 66-411, C. S. Supp., 1941, as amended by legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, be amended to read as follows:

66-411. (1) All sums of money received under this act by the State Treasurer shall be placed by him in a fund to be known as the gasoline tax fund.

(2) Until June 30, 1943, twenty per cent of the gasoline tax fund, less such amount thereof as shall be necessary to provide the identifying chemicals required in section 66-437, C. S. Supp., 1941, shall first be credited and shall inure to the state assistance fund. The State Treasurer shall then pay out of the gasoline tax fund, after the twenty per cent thereof allocated for the state assistance fund is first deducted, all warrants drawn by the Auditor of Public Accounts for motor vehicle fuel tax refunds. Thirty-three and three-fourths per cent of the balance of said gasoline tax fund shall be transferred by the State Treasurer, upon the first day of each month, to the various county treasurers of the state ~~in the proportion that the total motor vehicle registration of the county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year,~~ **proportionately upon the following basis: (a) Ten per cent of the total fund for distribution to the counties shall be distributed among the various counties in the proportion that the non-farm population of each county bears to the entire non-farm population of the state, as shown by the last United States government census: (b) Forty-five per cent of the total fund for distribution to the counties shall be distributed among the various counties in the proportion that the population outside of cities and incorporated villages of each county bears to the entire population outside of cities and incorporated villages of the state, as shown by the last United States government census; and (c) Forty-five per cent of the total fund for distribution to the counties shall be distributed among the various counties in the proportion that the total motor vehicle registration of each county bears to the total motor vehicle registration of the state, computed on the basis of the motor vehicle registration for the previous calendar year.**

(3) Except as hereinafter provided, the money of the gasoline tax fund transferred to the various county treasurers shall be allocated as follows: (a) ~~Ten per cent to~~ **The share provided by subdivision (2a), above set forth, based upon non-farm population, shall** be credited to the road fund of the cities and incorporated villages within said county, in the proportion that the total population of each city or village, based on the last federal census, bears to the total population of all the cities and incorporated villages within said county, and the sum of money so allocated shall be used solely by each city or incorporated village for constructing street improvements; (b) ~~Twenty per cent to~~ **Two-ninths of the share provided by subdivisions (2b) and (2c), above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration, shall** be credited to the county bridge fund; if any portion thereof be not required for bridges, it shall be used to pay

the interest on and to retire any outstanding county road or highway construction bonds of the county; and the balance thereof, if any, shall be credited to the county road fund; (c) ~~Twenty per cent~~ **Two-ninths of the share provided by subdivision (2b) and (2c), above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration,** shall be credited to either the county road fund or the county bridge fund, as the county board by resolution entered on its records may direct, with the privilege on the part of the county board, at any time during the calendar year in which such money is received, to transfer all or any part thereof from one fund to the other as need may arise; and (d) The ~~remainder, fifty percent, to~~ **remaining five-ninths of the shares provided by subdivisions (2b) and (2c), above set forth, based upon population outside of cities and incorporated villages and motor vehicle registration, shall** be credited to the county road fund, to be used by the county board for the purpose of maintaining, grading, graveling, regraveling, claying, littering, oiling or paving, and ~~for~~ no other purpose whatsoever; Provided, that thirty-five per cent of the money so transferred shall be used by the county treasurer to pay the interest on and retire any existing or outstanding county highway construction bonds and the balance, if any, shall be credited to the county road fund.

(4) Sixty-six and one fourth per cent of the balance of the gasoline tax fund shall be transferred by the State Treasurer on the first day of each month to the Department of Roads and Irrigation and shall be expended by the Department of Roads and Irrigation for the specific uses and purposes as follows: (a) for acquiring real estate, road materials, equipment and supplies to be used in the construction, reconstruction, improvement and maintenance of federal or state highways or federal feeder roads; (b) for the construction, reconstruction, improvement and maintenance of state or federal highways or federal feeder roads including grading, drainage, structures, surfacing, roadside development including landscaping and other incidentals necessary for proper completion and protection of federal or state highways or federal feeder roads as the department shall, after investigation, find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal aid money for highway purposes; (c) for the share of the Department of Roads and Irrigation of the cost of maintenance of state aid bridges as provided in section 39-1507, Compiled Statutes of Nebraska, 1929; and (d) for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal and all other roads in the state and for incidental costs in connection with the federal aid grade crossing program, for roads not on state or federal highways or federal feeder roads ; Provided, that six percent of the total amount of the gasoline tax fund transferred by the State Treasurer to the Department of Roads and Irrigation shall be used by said depart-

ment for matching funds allocated by the United States government to Nebraska for the construction of federal feeder roads.

(5) After June 30, 1943, the gasoline tax fund shall be distributed by the State Treasurer as follows:

(a) The State Treasurer shall first make all refunds as provided in subsection 3 of section 66-405, C. S. Supp., 1941, as amended, ~~by section 2 of this act~~, and credit to the Division of Motor Fuels of the Department of Agriculture and Inspection such amount of the gasoline tax fund as shall be necessary, in addition to such other funds as may be available for such purpose, to pay the cost of administering and enforcing the motor vehicle fuels tax laws of this state; Provided, however, that in no event shall the amount so credited exceed five-tenths of one per cent of the total gasoline tax fund collected;

(b) Twenty per cent of the remainder of the gasoline tax fund shall then be credited and shall inure to the state assistance fund;

(c) The State Treasurer shall then pay all warrants drawn by the Auditor of Public Accounts for all refunds, and for such amount as shall be necessary to provide the identifying chemicals, as provided in section 66-437, C. S. Supp., 1941;

(d) After distribution and payment of the amounts above set forth, three-eighths of the balance of the gasoline tax fund shall be transferred to the various county treasurers of the state in the same manner and for the same uses as hereinabove provided; and

(e) The other five-eighths of the balance remaining in said fund shall be transferred to the Department of Roads and Irrigation in the same manner and for the same uses and purposes as hereinabove provided in this section.

(6) No part of the gasoline tax fund shall be expended for or upon interstate bridges.

2. In Section 2, of the bill, Page 5, Line 2, strike the word "hereby".

3. In the bill, title, Page 1, strike all of the title after the word "section" in the second line thereof, and insert in lieu thereof: "66-411, C. S. Supp., 1941, as amended by legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, relating to the distribution, allocation and use of the gasoline tax fund; to provide a different method of distribution of the share thereof allocated to the various

counties for distribution; to repeal the original section as so amended by said legislative bill; and to declare an emergency.

LEGISLATIVE BILL 155. Placed on Select File with amendments.

E and R amendments to L. B. 155:

1. In the bill, Section 1, page 2, line 7, strike the semicolon after "proper" and in lieu thereof insert: "~~;~~ ;" ; line 10, strike: "; and it" and in lieu thereof insert: "~~; and it~~ . **It**"; line 11, strike the word "supervisor" and in lieu thereof insert: "~~supervisor~~ **county board member**"; lines 12 and 13, strike: "; Provided further, if" and in lieu thereof, insert: "~~; Provided, further, if~~ . **If**"; line 17, strike: "and provided further," and in lieu thereof insert: "~~and provided, further~~ **Provided,**"; line 20, strike: "~~,~~ ; **Provided further, the county board**" and in lieu thereof insert: ". **County boards**" ; line 22, strike: "**, and when**" and in lieu thereof insert: "**. When**"; strike the word "**be**" at the beginning of line 24 and in lieu thereof insert "**is**"; line 26, strike "**his**" and in lieu thereof insert "**the**" and strike the period at the end of the line, and in lieu thereof, insert: "**of such member.**".

2. In the bill, title, page 1, 5th line, strike: ", and" and in lieu thereof insert: "and," ; 6th line, after "the" and before "county" insert: "each member of the"; 7th line, strike: "such roads" and in lieu thereof insert: "the roads in the respective district of such member".

LEGISLATIVE BILL 247. Placed on Select File with amendments.

E and R amendments to L. B. 247:

1. In the bill, Section 1, page 2, line 6, strike the comma after "**year**" and insert"**,**" after "**shall**"; strike "once at least" at the end of line 12 and in lieu thereof insert: "~~once~~ at least **once**"; strike the comma and in lieu thereof insert "~~,~~" in line 14 after "each", line 21 after "that"; insert "," in line 14 after "shall", at the end of line 18 after "Provided", line 21 after "provided"; strike: ", and shall" at the end of line 16, and in lieu thereof insert: "~~,~~ and ~~shall~~"; insert "**or she**" after "**he**" in lines 23 and 25.

2. In the bill, title, page 1, 6th line, after "prison" insert: "in this or any other state, or by the United States,".

LEGISLATIVE BILL 439. Placed on Select File with amendments.

E and R amendments to L. B. 439:

1. In the bill, Section 1, page 2, insert "State" in line 3 after "Nebraska" and also in line 9; line 5, strike the comma after "Nebraska"; line 15, strike the comma after "Legislature"; insert a comma in line 17 after "accounts" and in line 18 after "Legislature"; line 24, strike: ", and, when" and in lieu thereof insert: ". When".

2. In the bill, title, page 1, insert the word "the" at the end of the 3rd line; 4th line, strike the comma after "members" and in lieu thereof insert the word "and"; 7th line, insert "State" after "Nebraska", also in the last line .

LEGISLATIVE BILL 391. Placed on Select File.

(Signed) James H. Anderson, Chairman

BILLS ON THIRD READING

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 417.

A bill for an act relating to state institutions; to provide for the placing of spastic persons by the Board of Control in the Nebraska Institution for the Feeble-minded and for the custodial care of such persons by such institution; to amend sections 83-402 and 83-404, Compiled Statutes of Nebraska, 1929; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, James H.	Doyle	Greenamyre	Ogden
Cullingham	Garber	Matzke	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 22. Mr. Mekota offered the following amendment, which was adopted by unanimous consent:

Amend page 2, section 1, line 7, by inserting after the punctuation following the word "supervisor" the following: "or any acting officer who is appointed and gives bond as provided by legislative bill 409, fifty-sixth session of the Nebraska State Legislature, 1943,".

E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 160. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 264. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 314. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 321. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 331. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 334. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 337. E and R Amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 365. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 369. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 385. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 387. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 396. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Mr. Craven offered the following amendment, which was adopted by unanimous consent:

Amend section 1, page 2, line 4 of the printed bill by striking the word "two" and inserting in lieu thereof the word "three".

Referred to E and R for engrossment.

LEGISLATIVE BILL 38. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for engrossment.

REQUEST—For Unanimous Consent

Mr. Gantz asked that unanimous consent be granted to replace L. B. 160 on Select File.

No objection was offered. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 433. Correctly engrossed.

(Signed) James H. Anderson, Chairman

SELECT COMMITTEE REPORTS

Final Adjournment

Mr. President: Your Committee for final adjournment begs to report that we have set not later than Friday, May 21, 1943, as the date for final adjournment.

(Signed) Mueller, Mischke, Raecke.

Mr. Mueller moved that the report be adopted.

The motion prevailed.

GENERAL FILE

LEGISLATIVE BILL 440. Read and considered.

Mr. Cullingham offered an amendment, which was lost.

Mr. Osborne offered the following amendment, which was adopted:

Amend by adding a new section No. .... as follows:

"Frontier Refining Company, Scottsbluff, Nebraska

Refund Gas tax . . . General Fund..................$127.81".

Mr. Mekota offered the following amendment, which was adopted:

Amend by adding the following section to be properly numbered by the Committee on Enrollment and Review:

Fred Hellander, Bayard, Nebraska	Damage to truck	Highway cash Fund. Auditor Acct. 189.	$63.96

Mr. Craven offered the following amendment:

Amend section 1, page 5 of the bill, by inserting a new and additional item 44 immediately following item 43 as follows:

"Lotta Sagl, Lincoln, Nebraska. Due as Workmen's Compensation under award for death of husband. State Auditor's Account No.

$6666.69".

Laid over.

LEGISLATIVE BILL 286. Read and considered.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend Sec. 1, line 68, by inserting after the word "cash" and before the word "at" the words "in the area in which he is a candidate".

Mr. Greenamyre offered the following amendment:

Amend L. B. 286 as follows: Amend Section 2 of the printed bill, Line 57, by striking the remainder of the section after the word "Governor." and inserting the following:

"In no event shall compensation as a salary or otherwise of any General Manager, Counsel, Secretary, Treasurer, or other employee or officer exceed $10,000 except by the vote or approval of two-thirds or more of the members of the Board of Directors, and the record of such vote of approval, together with the names of the Directors so voting, shall be made a part of the permanent records of the Board, and all salaries in excess of $10,000 shall be published once each year in three legal newspapers of general circulation in the State of Nebraska.

"The members of the Board of Directors shall be paid their actual expenses while engaged in the business of the District under the authority of the Board of Directors, and, for their services, such compensation, not exceeding $100 per month, as to all members except the President, and not exceeding $150 per month as to the President, as shall be determined by the Board of Directors. All salaries and compensation shall be obligations against, and be paid solely from, the revenues of the District."

No action taken.

Recess

At 12:04 p.m. on motion by Mr. Heiliger the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Thomas, who was excused.

MOTION—Evening Session

Mr. Foster moved to suspend the rules to meet Thursday evening at 7:30 and to take up bills on the non-controversial file.

The motion was lost with 25 ayes, 6 nays, 12 not voting.

GENERAL FILE

LEGISLATIVE BILL 286. Mr. Greenamyre's amendment, offered in the morning session, was adopted with 26 ayes, 8 nays, 9 not voting.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend the Greenamyre amendment of May 5, 1943, to L. B. 286, to Section 2, Line 57, by striking the words "State of Nebraska" in line 12, and inserting the words "district in which the employee is employed".

Visitor

Speaker Crosby introduced Coxswain George W. Sullivan of Omaha, a former member, who addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL 286. Mr. Craven offered the following amendment:

Amend Sec. 2, page 5, line 33 of the printed bill by striking out the period after the first word "manner" in said line and inserting thereafter the following words and punctuation: "; provided, however, that the general manager shall not be paid, either directly or indirectly, as a salary, compensation, wages or profit a sum which, in the aggregate, is in excess of $15,000 per year."

Speaker Crosby presiding

After discussion, Mr. Mischke moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 25 ayes, no nays, 18 not voting.

Record vote was requested.

Voting in the affirmative, 14:

Asimus
Burnham
Craven
Doyle
Gantz
Garber
Jeppesen
Mekota
Mueller
Neubauer
Osborne
Raecke
Sorrell
Weborg

Voting in the negative, 23:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Greenamyre
Gutoski
Hanna
Hubka
Klaver
Matzke
Mischke
Ogden
Peterson
Rakow
Reavis
Thompson
Tvrdik

Not voting, 6:

Carmody
Heiliger
Jeffords
Lee
Norman
Thomas

The amendment was not adopted.

President Johnson presiding

Mr. Craven offered the following amendment:

Amend section 2, page 6, line 62, by inserting after the word "day" in line 62 the following words and punctuation:

"After any public power district or public power and irrigation district begins the operation of any electric light and power plant or irrigation works owned by any district organized under the provisions of this act, no officer, attorney, agent, servant or employee of such district, except the general manager, shall be paid or receive any salary, compensation, wage, profit or fee, either directly or indirectly, which, in the aggregate, exceeds the sum of $7,500 per year."

Record vote was requested.

Voting in the affirmative, 12:

Asimus
Burnham
Craven
Crossland
Doyle
Gantz
Garber
Lee
Neubauer
Osborne
Sorrell
Weborg

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crosby
Cullingham
Dooley
Foster
Greenamyre
Gutoski
Hanna
Hubka
Klaver
Mischke
Ogden
Peterson
Rakow
Reavis
Thompson
Tvrdik

Not voting, 11:

Bowman
Carmody
Heiliger
Jeffords
Jeppesen
Matzke
Mekota
Mueller
Norman
Raecke
Thomas

The amendment was not adopted.

Mr. Doyle offered an amendment, which was lost with 4 ayes, 20 nays, 19 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Wednesday, May 5, 1943, at 3:15 p.m.

L. B. 251	L. B. 322	L. B. 410	L. B. 416
L. B. 294			

LEGISLATIVE BILL 285. Placed on Select File with amendments.

E and R amendments to L. B. 285:

1. In the bill, line 5, insert a comma after "agent"; line 7, strike the comma after "officer" and in lieu thereof insert "~~,~~;"; line 11, after "levy" insert: "**on such stock**"; line 12, before "**it shall**", insert: "**the giving of the notice, above provided for, shall be sufficient and**"; lines 14 and 15, strike: "**but notice only need be given as above provided**".

2. In the bill, title, page 1, 3rd and 4th lines, strike "of execution or attachment"; 5th line, after "upon" insert "the", after "of" insert "a" and after "warrant" insert a comma; 6th line, strike the word "that" and in lieu thereof insert: ", upon such stock in a corporation,".

LEGISLATIVE BILL 318. Placed on Select File with amendments.

E and R amendments to L. B. 318:

1. In Standing Committee amendment No. 1, strike the period at the end thereof and in lieu thereof, insert: "and insert in lieu thereof, the following: "~~to the commissioners of insanity of the county where they belong.~~;" ".

2. In the bill, Section 1, page 2, line 3, strike "patients are" and in lieu thereof insert: "~~patients are~~ **a patient is**"; line 10, strike "The" and in lieu thereof insert "~~the~~ **The**"; line 11, strike the word "them" and in lieu thereof insert: "~~them~~ **such patient**", and in said line, strike the word "shall" and in lieu thereof insert "~~shall~~"; line 12, strike "their care" and in lieu thereof insert: "~~their~~ **the care of such person**"; line 13,

strike "patients are" and in lieu thereof insert: "~~patients are~~ **patient is**"; line 16, strike "**his record**" and in lieu thereof insert: "**the records of such office**".

LEGISLATIVE BILL 79. Placed on Select File with amendments.

E and R amendments to L. B. 79:

1. In Standing Committee amendment No. 1, 1st line, strike "1" and in lieu thereof insert "2"; in amendment No. 2, 1st line, strike "3" and in lieu thereof insert "4"; in amendment No. 4, 1st line, strike "7" and in lieu thereof insert "8".

2. Strike Standing Committee amendment No. 3 and in lieu thereof, in the bill, title, page 1, 4th and 5th lines, strike: "or other deputy or employee in his office" and in lieu thereof insert: "except a county attorney, or any of their deputies and employees".

3. Strike Standing Committee amendment No. 5, and in the bill, title, 8th line, strike: "or any of his deputies" and in lieu thereof insert: "except a county attorney, or any of their deputies".

4. Strike Standing Committee amendment No. 7, and in the bill, Section 1, page 2, line 2, strike: "or any deputy or employee in his office" and in lieu thereof insert: "except a county attorney, or any of their deputies or employees in their offices".

5. Strike Standing Committee amendment No. 9, and in the bill, Section 1, page 2, lines 4 and 5, strike: "or any deputy in his office" and in lieu thereof insert: "except a county attorney, or any of their deputies in their offices".

6. In the bill, Section 1, page 2, line 4, insert a comma after "acknowledgments"; line 6, strike the comma after "officers"; line 7, strike: "in to" and in lieu thereof insert "into"; line 13, strike "thereof".

7. In the bill, title, page 1, 2nd line, strike the comma before "their" and in lieu thereof insert "and"; 7th line, insert a comma after "acknowledgments"; 9th line, strike the comma after "capacity"; 10th line, after the semicolon and before "and", insert: "to provide penalties;".

LEGISLATIVE BILL 238. Placed on Select File with amendments.

E and R amendments to L. B. 238:

1. In the bill, insert a comma after "Supp." in Section 1, page 2, line 1; Sec. 2, page 3, line 1; in the title, 2nd line.

2. In the bill, Section 1, page 2, line 3, strike "33-113" and in lieu thereof insert "33-112"; line 15, strike "; ." and in lieu thereof insert "; ."; line 16, strike "In" and in lieu thereof insert: "~~in~~ **In**"; line 19, strike ", all" and in lieu thereof insert: "; ~~all~~ . **All**"; strike the word "to" before "be" in line 19 and also in line 20, and in lieu thereof insert: "~~to~~ **shall**"; line 20, strike ", and all" and in lieu thereof insert: "; ~~and all~~ . **The**"; line 25, strike the comma after "deputy" and in lieu thereof insert ";" and also in line 31; page 3, line 39, after "**paid**" insert: "**for services in such office**"; and in said line, after "**amount**" insert "**to be**"; line 40 strike: "**, for the services of each assistant**"; line 48, strike "the" and in lieu thereof insert "~~the~~ **The**"; lines 48 and 49, strike: "in no case retain to his" and in lieu thereof insert: "~~in no case~~ **not** retain **for** ~~to~~ his **or her**"; lines 49 and 50, strike: ", or receipts of his" and in lieu thereof insert: "; or ~~receipt~~ **receipts** of his **or her**"; line 52, after "showing" insert "(**a**)"; line 54 before "from" insert "(**b**)"; lines 54 and 55, strike ", and" and in lieu thereof insert: "**they were received** , (**c**) ~~and~~"; line 56, strike: ", and also" and in lieu thereof insert: "; and (**d**) ~~also~~"; line 61, after "recover" insert "**any**"; strike the comma and in lieu thereof insert ";" in line 36 after "deputy", line 57 after "year", line 58 after "Provided", line 60 after "received" .

LEGISLATIVE BILL 244. Placed on Select File with amendments.

E and R amendments to L. B. 244:

1. In Standing Committee amendment No. 1, Section 1, line 2, insert a comma after "state" and also at the end of the line, after "thousand"; line 4, strike the comma after "existing"; line 16, strike "and" before "signed"; line 21, insert a comma after "notes" and also after "negotiated"; line 23, strike "him" and in lieu thereof insert: "said officer"; line 24, strike "and" after "collected" and in lieu thereof insert a comma, and in said line, strike the comma after "received" .

2. In Standing Committee amendment No. 2, Section 2, line 1, insert a comma after "county" and in line 2 after "population"; line 5, strike: "by way of investment" and in lieu thereof insert: ", as an investment,"; line 9, insert a comma after "thereof"; lines 10 and 11, strike: ", and any warrant" and in lieu thereof insert: ". Any warrant,"; line 11, insert a comma after "investment"; line 13, strike the comma after "warrant" .

3. In the bill, title, page 1, insert a comma in the 3rd line after "counties" and in the 4th line after "population"; strike all of the 4th

line after "money" and strike all of the balance of the title, and in lieu thereof, insert: "and execute and deliver the promissory note or notes of such county in evidence thereof, under the prescribed circumstances and subject to the prescribed limitations and requirements; to regulate the manner of payment thereof; to provide for the use of money in one or more funds of such counties to pay warrants drawn on another fund or funds thereof in which fund or funds there is insufficient money presently available to pay outstanding legal warrants, under the prescribed conditions, and to state the effect thereof."

LEGISLATIVE BILL 282. Placed on Select File with amendments.

E and R amendments to L. B. 282:

1. In the bill, Section 1, page 2, line 16, strike "Nothing" and in lieu thereof insert: "~~nothing~~ **Nothing**"; line 19, strike "Any" and in lieu thereof insert: "~~any~~ **Any**"; line 22, strike "All" and in lieu thereof insert: "~~all~~ **All**"; line 24, strike: "by law" and in lieu thereof insert: "~~by law~~", and in said line, after "required", insert: "**by law**"; line 28, strike the comma after "tri-weekly" , and in lieu thereof insert ";" .

LEGISLATIVE BILL 299. Placed on Select File with amendments.

E and R amendments to L. B. 299:

1. In Standing Committee amendment No. 1, strike: "words" at the beginning of the 5th line and in lieu thereof insert: "following: "~~derived title to any real property or any interest therein from said deceased or from any of his heirs either by direct or mesne conveyances~~ ".

2. In the bill, Section 1, page 2, line 3, after "more" insert "**(a)**"; line 4, strike "or" before "residing" and in lieu thereof insert: "~~or~~ **(b)**"; line 6, strike: ", or", and in lieu thereof insert: "; or **(c)**"; strike the comma at the end of line 7 and in lieu thereof insert ";"; line 8, strike ", or" and in lieu thereof insert: "; or ,"; line 9, strike the word "and" after "Nebraska" and in lieu thereof insert: "~~and~~ ,"; line 10, strike the word "has" before "become" and in lieu thereof insert "~~has~~"; lines 22 and 23, after "his" insert "**or her**"; insert "," in line 5 after "estate", line 20 after "application", line 24 after "court".

LEGISLATIVE BILL 309. Placed on Select File with amendments.

E and R amendments to L. B. 309:

1. In the bill, Section 1, page 2, line 3, before "wherein" insert "(a)", and after "title" insert: "to real estate"; line 5, strike "and"

and in lieu thereof insert: ", (b)"; line 8, strike ", and" and in lieu thereof insert: "and (c) where"; insert a comma at the end of line 9 after "defective"; lines 13 and 14, strike "in all such cases".

2. In the bill, Section 2, page 2, insert a comma in line 2 after "proceeding", at the end of line 3 after "situated", line 8 after "defective", line 10 after "service", line 12 after "divisions"; at the end of line 9, after "attorney" insert: "of such county".

3. In the bill, Section 3, pages 2 and 3, line 2, strike "and" and in lieu thereof insert a comma; line 3, strike "and shall" and in lieu thereof insert a comma; line 4, strike all of said line after "which", and the words "also allege" in line 5, and in lieu thereof insert: "title thereto was acquired,"; line 6, strike "shall set forth"; line 7, strike "him" and in lieu thereof insert "the plaintiff".

4. In the bill, Section 4, page 3, line 3, strike the word "shall"; line 6, strike "and by him" and in lieu thereof insert "to be", and in said line, after "proportionately", insert: "and in the order of their priority"; line 7, strike: "in the order of their priority"; line 14, insert a comma after "may"; line 18, strike "and" after "cancel" and in lieu thereof insert a comma; line 20, strike "and may" and in lieu thereof insert a comma; line 22, strike the word "to" before "make".

5. In the bill, title, page 1, strike "provide" at the end of the 2nd line, and strike all of the balance of the title, and in lieu thereof, insert: "authorize the bringing of an action for the curing of defects in tax foreclosure proceedings heretofore had in the county where the real estate involved therein is situated and certain procedure therefor and orders and decrees therein; and to declare an emergency."

LEGISLATIVE BILL 352. Placed on Select File with amendments.

E and R amendments to L. B. 352:

1. In the bill, Section 1, page 2, strike the semicolon at the end of line 14 and in lieu thereof insert a period; line 20, strike: "trust or of" and in lieu thereof insert "or"; line 23, strike the comma after "decedent"; insert a comma in line 26 after "gender".

2. In the bill, Section 2, page 2, line 3, strike the comma after "fund"; line 4, insert a comma after "court".

3. In the bill, Section 4, page 3, insert a comma in line 1 after "or", at the end of line 2 after "conservator", line 18 after "fiduciary", line 19 after "terminated"; line 8, after "of" and before "suspension"

insert "the"; lines 8 and 9, strike: ", if" and in lieu thereof insert: "if,"; insert "the" in line 16 after "and", in line 20 after "or".

4. In the bill, Section 5, page 3, insert a comma in line 6 after "fiduciary" and also at the end of the line after "hereunder".

LEGISLATIVE BILL 364. Placed on Select File with amendments.

E and R amendments to L. B. 364:

1. In the bill, Section 1, page 2, line 3, insert "," after "party"; line 6, strike: ", which" and in lieu thereof insert: "~~,~~ ~~which~~ . **This**"; line 8, strike the comma after "action" and in lieu thereof insert "~~,~~"; line 9, strike: "the defendant" and in lieu thereof insert: "~~the defendant~~ **such adverse party**"; line 13, strike "**notice**" and in lieu thereof insert "**it**".

2. In the bill, Section 2, insert "," at the end of line 3, after "party"; line 7, strike: ", which" and in lieu thereof insert: "~~,~~ ~~which~~ . **This**"; line 8, strike the comma after "action" and in lieu thereof insert "~~,~~"; line 9, strike "the defendant" and in lieu thereof insert: "~~the defendant~~ **such adverse party**"; line 13, strike "**notice**" and in lieu thereof insert "**it**".

3. In the bill, title, page 1, 5th line, after "on" and before "party" insert "the".

LEGISLATIVE BILL 414. Placed on Select File with amendments.

E and R amendments to L. B. 414:

1. In Standing Committee amendment No. 1, 1st and 2nd lines, strike: "line 6, by inserting the punctuation "," after the word "gas" and".

2. In the bill, Section 1, page 2, line 4, after the punctuation "," and before "school" insert: "public power districts,"; line 5, strike "including public power" and the word "districts" at the beginning of line 6.

3. In the bill, Section 2, page 2, line 1, insert a comma after "leases" and also after "hereto".

4. In the bill, Section 3, page 2, line 5, strike the word "after".

5. In the bill, title, page 1, 5th line, before "school" insert: "public power districts,"; 7th and 8th lines, strike: ", including public power

districts,"; 9th line, strike the semicolon after "gas" (now after Standing Committee amendment No. 6) and in lieu thereof insert: ", under the prescribed conditions and terms;" and in said 9th line, insert a comma after "oil"; 12th line, strike the word "declaring" at the end of the line, and in lieu thereof insert: "to declare".

LEGISLATIVE BILL 422. Placed on Select File with amendments.

E and R amendments to L. B. 422:

1. In the bill, Section 1, pages 2 and 3, line 18, after "**upon**" insert "**the**"; line 21, strike the comma after "**incarcerated**" and in lieu thereof, insert: "**in such institution,**"; line 28, strike "shall have" and in lieu thereof, insert: "~~shall have~~ **has**"; line 33, after "by" insert: "**and at the discretion of**"; line 34, strike: "in his discretion," and in lieu thereof insert: "~~in his discretion,~~,"; line 35, strike: "; and it" and in lieu thereof insert: "~~; and it~~ . **It**".

2. In the bill, Section 1, page 2, insert the punctuation "," in line 3 after "nonresident", line 7 after "state", line 9 before "during", line 21 before "**during**", line 25 after "person", line 26 after "incarcerated"; strike the comma and in lieu thereof insert "~~,~~," in line 30 after "to" and also at the end of the line after "in", line 31 after "defectives", line 41 after "supervision".

3. In the bill, title, page 1, 5th line, strike the comma after "Lincoln"; 6th line, after "upon" insert: "the written", and in said line, after "the" and before "chief" insert: "warden or other"; insert a comma in the 8th line after "reinstated" and 9th line after "institution"; 10th line, strike: "at such time" and in lieu thereof insert: "under the direction of and at such times".

LEGISLATIVE BILL 353. Placed on Select File with amendments.

E and R amendments to L. B. 353:

1. In the bill, Section 1, pages 2 and 3, line 6, strike ", and", and in lieu thereof insert: "~~,~~, and ,"; strike "shall" at the beginning of line 7, and in lieu thereof insert: ", ~~shall~~"; line 14, strike "one" before "half" and in lieu thereof insert: "~~one~~ . **One**"; line 15, strike "and" after "hydrants", and in lieu thereof, insert: "~~and~~ ,"; line 16, strike "to" after "installation", and in lieu thereof, insert "~~to~~ **shall**"; strike the comma after "municipalities" in line 22; line 23, strike the comma after "Provided" and in lieu thereof insert "~~,~~,"; line 26, strike "also to", and in lieu thereof insert "~~also to~~"; line 29, strike ";" after "district", and in lieu thereof insert "~~,~~ ;", and in said line, after "provided" insert "~~,~~,"; line

31, before "fifty" insert "50,000"; line 33, strike: "then in such case", and in lieu thereof, insert: "then in such case"; strike the word "by" at the beginning of line 37, and in lieu thereof, insert: ", by the"; insert the punctuation "," in line 20, after "afford", line 21 after "charge", line 30 after "tank", line 31 after "municipality", line 32 after "month", line 38 after "district".

LEGISLATIVE BILL 297. Replaced on Select File with amendments.

E and R amendments to L. B. 297:

1. Strike the legislature amendments made by Mr. Hanna and Mr. Jeppesen.

2. In the bill, title, 5th line, strike "of not to exceed one-half mill".

LEGISLATIVE BILL 101. Placed on Select File with amendments.

E and R amendments to L. B. 101:

1. Strike legislature amendment of Mr. Craven dated April 21, 1943, being duplicated in later amendment of Mr. Peterson.

2. In legislature amendment of April 21, 1943, by Mr. Thompson, strike all the part thereof referring to lines 45 and 46.

3. In legislature amendment 1 of Mr. Thompson of April 23, 1943, strike the words "a comma" at the end thereof, and insert in lieu thereof ",".

4. Strike legislature amendment 3 by Mr. Thompson on April 23, 1943.

5. In legislature amendment by Mr. Osborne on April 23, 1943, insert "." at the end thereof after the word "purposes".

6. In legislature amendment of April 23, 1943, by Mr. Weborg, in the first line strike the word "May" and in lieu thereof insert "April, **May**".

7. In legislature amendment by Mr. Raecke on April 23, 1943, strike the word "July" and in lieu thereof insert "August, **July**".

8. In legislature amendment 1 by Mr. Peterson, adopted April 27, 1943, on the second page thereof, referring to page 7 of the bill, strike

the balance of the second and third lines after "34", and insert in lieu thereof "showing the same as stricken matter, and also inserting a colon".

9. In legislature amendment 2 of Mr. Peterson, on the same date, strike the word "transact" in quotation marks in the third line thereof.

10. In legislature amendment by Mr. Peterson, in the Journal on April 28, 1943, at the beginning of the new inserted matter, after the quotation mark insert "~~No~~".

11. In the bill, Section 1, page 2, line 14, strike "a county or", and insert in lieu thereof "**of** a county, ~~or~~".

12. In the bill, Section 2, pages 2 and 3, in line 6, strike "~~,~~", and insert in lieu thereof ","; line 9, insert "," after the word "candidates"; line 11, strike the comma, and insert in lieu thereof "~~,~~"; line 15, strike "or" and after the word "**disability**", insert "**or inability**"; line 16, strike "**.**", and in lieu thereof insert "**;**"; line 17, insert "**the**" after "**that**"; line 19, strike " **, on**", and in lieu thereof insert "**on the**".

13. In Section 3, insert "," in line 4 after "thereafter"; line 6, after "States"; and line 7, after "article" .

14. Section 4, line 4, strike "and all ballots voted shall", and in lieu thereof insert "~~and all ballots voted shall~~ **to**". Line 11, strike ", which he shall post", and in lieu thereof insert "~~,~~ ~~which he shall~~ **and** post **the same**"; line 12, strike "; these ballots to", and in lieu thereof insert "~~;~~ ~~these~~ . **Such** ballots **shall** ~~to~~". Insert "," in the following places: Line 16, after "candidates"; line 17, after "office", and also after "rotated"; line 22, after "districts"; line 24, after "post"; line 32, after "printing"; line 53, after "**candidates**". Line 18, strike the word "but", and insert in lieu thereof "~~but~~". Line 39, strike "**shall have**". Insert "**,**" in line 40, after "**vote**"; in line 41, after "**party**". Strike "**, and immediately**", in line 42, and all of lines 43 to 46, inclusive, and in lieu thereof insert "**and the candidate who received the**". Line 47, strike "**of his party**", and insert in lieu thereof "**, at the**". Line 49, strike "**shall have**". Line 48, after the word "**convention**", insert "**of his party,**". Line 50, strike "**, and after his name**", and in lieu thereof insert "**. After the name of each of such candidates so selected, if such candidate shall have received at least twenty-five per cent of the vote cast at such convention,**". Line 51, strike "**,**" after "**language**". Strike line 56, and the balance of that sentence, and in lieu thereof insert "**.**". Line 62, strike "**and where**", and in lieu thereof insert "**. Where**". Line 64, strike "**, but**" and insert in lieu thereof "**and**". Line 74, strike "**,**" after "**Convention**", and in lieu thereof insert "**.**" .

15. Section 5, page 6, of the bill, insert "," in line 10 after "primary"; Line 30, after "convention"; line 31, after "election"; line 32 after "may"; line 33, after "way". Strike the comma and insert in lieu thereof "~~,~~" in line 11, after "congress"; line 28, after "treasurer". In line 18, strike the word "shall" and insert in lieu thereof "~~shall~~". Line 22, strike the word "the", and insert in lieu thereof "~~the~~ **at an**". Line 25, strike "rull," and insert in lieu thereof "roll,". Line 27, strike "and", and insert in lieu thereof "~~and,~~"; line 28, strike "shall elect", and insert in lieu thereof "~~shall elect~~ **the election of**"; line 31, strike ",", and insert "~~,~~"; line 36, strike the colon and insert "~~:~~".

16. Section 6, page 7, line 11, strike ", which", and insert in lieu thereof "~~, which~~ **. Such**". Line 16, and also in line 17, strike "shall", and in lieu thereof insert "~~shall~~". Line 17, strike ",", and in lieu thereof insert "~~,~~". Line 18, strike "Vice-president" and in lieu thereof insert "~~Vice president~~ **Vice President**". Line 20, strike "any", and in lieu thereof insert "~~any~~". In lines 40 and 41, show the old matter in the statute stricken by amendment 2 of Mr. Peterson as stricken matter. Line 101, strike "." which was not stricken by amendment 6 of Mr. Peterson. Line 108, strike ":" and insert in lieu thereof ";". Line 113, insert the word "**the**" after the word "**by**", and strike the word "**the**" now in said line after "**and**". Line 132, strike "**and such**", and in lieu thereof insert "**Such**". Line 134, strike "**shall he**". Line 136, insert "**at least**" after the word "**received**"; and in same line strike "**or more**". Line 138, strike "**the**" before "**secretary**". Line 142, strike ":", and in lieu thereof insert ";"; and in said line strike the comma after "that", and in lieu thereof insert "~~,~~"; insert a "," at the end of line 142, and also at the end of line 145. Line 146, insert "a" after "in".

17. Section 7, line 3, strike ",", and insert in lieu thereof "~~,~~". Insert "," in line 5, after "primary", and also after "treasurer"; in line 14, after "receipt"; and in line 15, after "fee". Line 8, strike "senator", and in lieu thereof insert "~~senator~~ **Senator**". Line 18, strike "," after "electors", and in lieu thereof insert "~~,~~".

18. Section 9, formerly Section 8, page 11, line 2, insert "and" before "32-1173", and in said line insert "and sections" after "1929,". Line 3, strike "C. S. Supp., 1941,".

19. In the bill title, page 1, 4th line, strike the balance of said line after "1929,", and in lieu thereof insert "and sections 32-1123"; 6th line, strike the comma after "elections", and in lieu thereof insert "and". In the 15th and 16th lines, strike "32-1123, C. S. Supp., 1941," and in lieu thereof insert "and sections 32-1123."

LEGISLATIVE BILL 355. Correctly engrossed.

LEGISLATIVE BILL 417. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 417

Legislative Resolution 31

MOTION—To Adjourn

At 5:20 p.m. Mr. Rakow moved to adjourn.

The motion was lost with 3 ayes, 13 nays, 27 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 286. Mr. Greenamyre offered the following amendment, which was adopted:

Amend Sec. 5, page 13, Lines 6 and 7, by adding before the words "assistant treasurer" the word "treasurer,".

Further, strike the word "expending" in lines 3 and 4 and insert "expended".

Mr. James H. Anderson offered the following amendment:

Amend Sec. 3 by striking out all of the new matter contained therein, beginning on line 73 with the figure "6" in brackets.

Laid over.

Adjournment.

At 5:30 p.m. on motion by Mr. Raecke, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, May 6, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Reavis, who was excused.

The Journal for the Eighty-fourth Day was approved as corrected.

MOTION—Windows in Legislative Chamber

Mr. Mueller moved that the Sergeant-at-arms be instructed to have the four lower windows in the legislative chamber fixed so they will open.

The motion prevailed.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 434. With emergency clause.

A bill for an act to amend section 8-134, Compiled Statutes of Nebraska, 1929, sections 8-122 and 77-2601, C. S. Supp., 1941, and section 8-142, C. S. Supp., 1941, as amended by legislative bill 33, fifty-sixth session of the Nebraska State Legislature, 1943, relating to banks and deposits therein; to define the term "war loan deposit account"; to provide that war loan deposit accounts shall not be taken into consideration in determining the available cash reserve required to be carried by a bank; to provide that war loan deposit accounts shall not be included in making computation of the average daily deposits of a bank to determine the amount of capital stock required and to determine the amount that shall be required to be carried to surplus before declaration of a dividend; to remove the restriction that depositories of the public money of the United States may be allowed to secure money or funds by a pledge of the assets in lieu of a bond only if its depositors are protected by the insurance afforded to banks through the Federal Deposit Insurance Corporation; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Crosby
Cullingham
Osborne
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 368.

A bill for an act to amend sections 24-1712 and 24-1722, Compiled Statutes of Nebraska, 1929, relating to occupation taxes on corporations; to provide that the lien of such occupation taxes shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor until notice thereof has been filed by the Secretary of State with the county clerk of the county wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein the real estate sought to be charged with such lien is situated; to provide that occupation taxes of corporations, existing and delinquent at the time this act becomes effective, shall cease to be liens as against any mortgagee, pledgee, purchaser or judgment creditor upon the property of the corporation unless a notice of the lien is filed by the Secretary of State, within one year after the taking effect of this act, with the county clerk of the county wherein the personal property sought to be charged with such lien is situated, and with the county clerk or register of deeds of the county wherein the real estate sought to be charged with such lien is situated; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Conklin
Hanna
Jeffords
Lee
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 219. With emergency clause.

A bill for an act to create a boiler inspection department within the Department of Labor; to provide for notice of intention to install and inspect steam boilers, generators and superheaters; to create the office of state boiler inspector and to define his duties; to provide for the enforcement of the boiler inspection provisions of this act; to provide penalties for the violation thereof; to state a saving clause; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 23:

Anderson, D. S.
Anderson, James H.
Bowman
Conklin
Craven
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Lee
Norman
Ogden
Peterson
Raecke
Sorrell
Tvrdik

Voting in the negative, 4:

Asimus
Garber
Hanna
Mischke

Not voting, 16:

Brodahl
Burnham
Carmody
Crosby
Crossland
Jeffords
Matzke
Mekota
Mueller
Neubauer
Osborne
Rakow
Reavis
Thomas
Thompson
Weborg

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. 219 With Emergency Clause Stricken

Voting in the affirmative, 23:

Anderson, D. S.
Anderson, James H.
Bowman
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hubka
Jeppesen
Klaver
Lee
Norman
Ogden
Peterson
Raecke
Sorrell
Tvrdik

Voting in the negative, 5:

Asimus
Hanna
Matzke
Mischke
Garber

Not voting, 15:

Brodahl
Burnham
Carmody
Crosby
Heiliger
Jeffords
Mekota
Mueller
Neubauer
Osborne
Rakow
Reavis
Thomas
Thompson
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

LEGISLATIVE BILL 421.

A bill for an act to amend section 84-206, Compiled Statutes of Nebraska, 1929, relating to the powers and duties of the Attorney General; to provide that it shall be mandatory for the Attorney General to appoint a deputy; to provide that the salary of the deputy attorney general shall be fixed by the Attorney General at an amount not to exceed forty-two hundred dollars per annum; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Norman
Ogden
Peterson
Raecke
Sorrell
Thomas
Tvrdik

Voting in the negative, 8:

Asimus
Burnham
Carmody
Doyle
Garber
Neubauer
Osborne
Weborg

Not voting, 7:

Craven
Cullingham
Heiliger
Mueller
Rakow
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 423. With emergency clause.

A bill for an act to appropriate the sum of one thousand sixty-seven dollars for repairs and replacements at Kearney State Normal School as an emergency appropriation for the current biennium ending June 30, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Jeffords
Rakow
Reavis
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 428.

A bill for an act to amend section 68-324, C. S. Supp., 1941, relating to the state assistance fund; to provide for an increase in the amount of the state assistance fund to be set aside for child welfare service; to eliminate investigations and certifications, with reference to federal activities that have been abandoned, from the operation of this act; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Craven
Garber
Rakow
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 231. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 402. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 434. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 434.

Approved by the Governor

May 6, 1943

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 416 L. B. 410 L. B. 322

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

SELECT FILE (Continued)

LEGISLATIVE BILL 406. Mr. Jeffords moved to postpone indefinitely.

After discussion, Mr. James H. Anderson moved the previous question.

The President put the question, "Shall the debate now close?"

The motion prevailed with 24 ayes, no nays, 19 not voting.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Forty-one members were present.

Mr. Mischke moved to raise the call.

The motion prevailed with 21 ayes, 1 nay, 21 not voting.

The Jeffords motion prevailed with 16 ayes, 12 nays, 15 not voting.

LEGISLATIVE BILL 432. E and R amendments, found in the Legislative Journal for the Eighty-second Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 363. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Mr. Crosby offered the following amendments, which were adopted by unanimous consent:

Amend line 3, page 2, printed bill, by inserting after the word "provided" the following: "in section 8-308, C. S. Supp., 1939, or otherwise".

Amend lines 96 to 101, page 4, by striking all of sub-section H reading as follows: "Shares of stock in any building and loan association incorporated in and operating under the laws of the State of Nebraska, or in any federal savings and loan association incorporated under the provisions of the Home Owners' Loan Act of 1933, with principal office and place of business in this state."

Amend page 4, sec. 1, line 101, by striking the letter "i" and substituting in lieu thereof the letter "h".

Amend page 5, sec. 1, line 132, by striking the letter "j" and substituting the letter "i".

Referred to E and R for engrossment.

LEGISLATIVE BILL 394. E and R amendments, found in the Legislative Journal for the Eighty-third Day, were adopted.

Referred to E and R for engrossment.

Member Excused

Mr. Doyle was excused for the remainder of the morning.

Visitor

Mr. Greenamyre introduced Captain LaRue Sorrell of Syracuse, who addressed the Legislature briefly.

SELECT FILE (Continued)

LEGISLATIVE BILL 129. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 155. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 247. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 439. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 391. Referred to E and R for engrossment.

LEGISLATIVE BILL 160. Mr. Gantz offered the following amendment, which was adopted by unanimous consent:

1. Amend page 2 of the bill, line 5, as amended, by striking the same and substituting the following in lieu thereof: "shall sell, give away, dispose of, exchange, or deliver or permit the sale, gift or procuring of any such alcoholic liquors".

2. Amend title accordingly.

Referred to E and R for engrossment.

LEGISLATIVE BILL 285. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 318. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 79. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Mr. Matzke moved that L. B. 79 be returned to General File for the specific amendment of striking the Standing Committee amendments.

Laid over.

Recess

At 12:00 m. on motion by Mr. Mueller the Legislature recessed until 1:30 p.m.

After Recess

The Legislature reconvened at 1:30 p.m., President Johnson presiding.

The roll was called and all members were present.

SELECT FILE

LEGISLATIVE BILL 238. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 244. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 282. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 309. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 352. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 364. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE.

LEGISLATIVE BILL 286. Mr. James H. Anderson's amendment, offered directly before adjournment on the Eighty-fourth Day, was adopted.

Mr. Osborne offered the following amendment:

1. Amend page 12 of the bill, section 4, line 61, by adding after the punctuation following the word "purchases" in line 61, the following additional matter: **"No member of the board of directors shall be interested, directly or indirectly, in any contract to which the power district, or any one for its benefit, is a party, and any such director who shall have such an interest shall be subject to removal from office therefor by the remaining members of the board, subject to review of such action by the district court of the county in which the district maintains its principal place of business. Such interest in any contract by a director shall avoid the obligation thereof on the part of the power district."**

Mr. Greenamyre offered the following amendment to the Osborne amendment:

Amend the Osborne amendment by striking the word "Power" in line 3.

The Greenamyre amendment was adopted.

The Osborne amendment, as amended, was adopted.

Mr. Raecke offered the following amendment, which was adopted:

Amend Page 3, section 1, line 68 as follows:

1. Strike the Greenamyre amendment of May 5, 1943.

2. Insert after the word "governor" and before the punctuation ".", the punctuation and words ", in the district, or in the subdivision of the district, respectively, in which such-person is a candidate for director".

Mr. Gantz offered the following amendments:

Amend the title to said Bill, in the sixth line thereof by inserting after the figures "70-711" the figures ", 70-712".

Amend the Bill by inserting after Section 5, and after Line 24, Page 14 of the printed Bill, the following language:

Section 6. That section 70-712, C. S. Supp., 1941, be amended to read as follows:

70-712. No power plant, system, or irrigation works owned by a district shall be sold, alienated or mortgaged by such district, except under the following circumstances, to-wit: If, in order to borrow money from the federal government, the Rural Electrification Administration, the Public Works Administration, or from any loan or finance corporation or agency established under federal law, including the Reconstruction Finance Corporation, or its successor, it shall become necessary that a district mortgage or otherwise hypothecate any or all of its said property or assets to secure the payment of a loan or loans made to it by or from such source or sources, such district is hereby authorized and empowered to do so. Nothing in this section contained shall prevent the district from assigning, pledging, or otherwise hypothecating its revenues, incomes, receipts or profits to secure the payment of indebtedness to the federal government: Provided, that the state of Nebraska shall never pledge its credit or funds, or any part thereof, for the payment or settlement of any indebtedness or obligation whatsoever of any district created under the provisions of this Act: Provided, however, that neither by sale under foreclosure, receivership, or bankruptcy proceedings, or by alienation in any other manner, may the property of such a district become the property or come under the control of any private person, firm, or corporation engaged in the business of generating, transmitting, or distributing electricity for profit. In order to protect and safeguard the security and the rights of the purchasers or holders of revenue debentures, notes, warrants, or other evidences of indebtedness issued by any district under the provisions of this Act, and amendments thereto, such district may agree with such purchasers or holders that in the event of default in the payment of interest on or principal of any such revenue debentures, notes, warrants, or other evidences of indebtedness, or in the event of default in performance of any duty or obligation of such district in connection therewith, such purchasers or holders, or trustee selected by them, may take possession and control of the business and the property of the district and proceed to operate the same and to collect and receive the income thereof, and after payment all necessary and proper operating expenses and all other proper disbursements or liabilities made or incurred, use the surplus, if any there be, of the revenues of the district as follows: 1st. In the payment of all outstanding past due interest on each issue of revenue debentures, notes, warrants, or other evidences of indebtedness so far as said net revenues will go, and paying pro rata the interest due on each issue thereof when there is not enough to pay in full all of the interest; 2nd. If any sum shall remain after the payment of interest as aforesaid, then in the payment of the revenue debentures, notes, warrants, or other evidences of indebtedness which, by the terms thereof, shall be due and payable on each outstanding issue in accordance with the terms thereof, and paying pro rata when the money available is not sufficient to pay in full. When all legal taxes and charges, and all arrears of interest, and all matured revenue debentures, notes, warrants, or other evidences of indebtedness, have been paid in full, the control of the business and the possession of the property of the district shall then be restored to such district. The privilege herein granted shall be a continuing one so often as the occasion therefore may arise. The Board of Directors of any district issuing revenue debentures, notes, warrants, or other evidences of indebtedness under the provisions of this Act, and amendments thereto, is hereby also authorized and empowered to agree and contract with the purchasers or holders thereof that in the event of default in the payment of interest on or principal of any such revenue debentures, notes, warrants, or other evidences of indebtedness issued, or in the event of default in the performance of any duty or obligation under any agreement by such district, the holder or holders of such revenue debentures, notes, warrants, or other evidences of indebtedness then outstanding shall be entitled as a matter of right, upon application to a court of competent jurisdiction, to have appointed a receiver of the business and property of the district, including all tolls, rents, revenues, issues, income, receipts, profits, benefits, and additions derived, received or had thereof or therefrom, with power to operate and maintain such business and property, collect, receive and apply all revenue, income, profits and receipts arising therefrom, and prescribe rates, tolls and charges, in the same way and manner as the district might do. Whenever all defaults in the payment of principal of and interest on such revenue debentures, notes, warrants, or other evidences of indebtedness, and any other defaults under any agreement made by the district, shall have been made good, such receiver shall be discharged by the court and shall ~~therefor~~ **thereupon** surrender control of the business and possession of the property in his hands to the district; Provided, that any public power district or public power and irrigation district may sell to any public power district, public power and irrigation district, irrigation district, city or village any power plant, electric generating plant, electric distribution system, or any parts thereof, for such sums and upon such terms as the board of directors of such public power district or public power and irrigation district may deem fair and reasonable. Whenever any public power district or public power and irrigation district shall, as herein provided, acquire by purchase, lease, or otherwise, any electric distribution system, or any part or parts thereof, situated within or partly within any city or village, if any part of such system be within such city or village said acquisition shall be upon the conditions that such city or village may purchase, and such district shall be required to sell to such city or village, such electric distribution system, situated within or partly within such city or village, but not within the corporate limits of any other city or village, by paying to such public power district or public power and irrigation district, such sum as is fair and reasonable, including reasonable severance damages. If any city or village and such district shall fail to agree upon a price and terms, for the sale of such property to such city or village, the procedure for determining such price and terms of sale, and for compelling said sale shall be the same as is provided by sections ~~19-701~~ **19-708** to ~~19-703~~ **19-716**, inclusive **1941 Cumulative Supplement to** Compiled Statutes of Nebraska, 1921~~:~~ **, and amendments thereof. In determining the price and terms of sale pursuant to such proceedings, the court shall take into consideration the revenues received by such district from and through that portion of its property being purchased by any such city or village in relation to the revenues received by such district from and through the entire system or division from which such acquired property will be detached so that no such municipality acquiring distribution facilities shall acquire the same at a price which is inequitable to other municipalities served by said district.** Provided, that whenever any such district shall purchase or acquire the plant or property of an existing privately owned public utility furnishing electrical energy for heat, light, power or other purposes, for use within this state, such purchase shall be upon the condition expressed in the contract of purchase and instrument of conveyance that such district, **so long as it shall continue to be the owner of such property,** shall annually pay out of its revenue, to the state of Nebraska, county, city, village and school district in which such public utility property is located, in lieu of taxes, a sum equal to the amount which the state, county, city, village and school district received from taxation, including occupation taxes, from such property or from the person, firm or corporation owning the same, during the year immediately preceding the purchase or acquisition of such property by such power district. The directors of any such district shall not incur any personal liability by reason of the making of such payments; and provided further, that whenever any such district shall purchase or acquire from a person, firm or corporation other than a privately owned utility, any real property used or useful for the purposes for which said district shall have been created, such district, **so long as it shall continue to be the owner of such real property,** shall annually pay out of its revenue, to the state of Nebraska, county, city, village, township and school district in which said real property is located, in lieu of taxes, a sum equal to the amount which such state, county, city, village, township or school district received from taxation from said real property from the person, firm, or corporation owning the same, during the year immediately preceding the purchase or acquisition of such real property by such power district or by such power and irrigation district; and provided further, that the county board, sitting as a board of equalization, may, in any year subsequent to the purchase or acquisition of such property by such power district or by such power and irrigation district, determine the amount that such district shall pay out of its revenue to the state of Nebraska and its several governmental subdivisions, as aforesaid, in lieu of taxes, such **which sum shall be** as equity and justice may require, notwithstanding the amount which said state and its said governmental subdivisions may have received from taxation during the year immediately preceding the purchase or acquisition of such real property; and provided further, the directors of any such district shall not incur any personal liability by reason of the making of such payments. All sums of money to be paid by said districts in lieu of taxes, as in this section provided, shall be paid at the times, places and to the tax collecting officers as now or may hereafter be provided by law for the payment of taxes, **so long as such district shall continue to be the owner of such property,** and said tax collecting officers are hereby authorized and directed to receive and collect the same, and distribute all moneys so received to the governmental subdivisions entitled thereto. The provisions of this section with respect to payments by public power districts and by public power and irrigation districts in lieu of taxes on said real property of such districts, shall not be applicable to rural electric transmission, distribution and service lines, substations and easements therefor.

Amend Section 6, line 1, page 14 of the Bill, by striking out the number "6" and substituting therefor the number "7".

Amend Section 7, line 1, page 15 of the printed Bill, by striking out the number "7" and substituting therefor the number "8".

Amend Section 8, line 1, page 16 of the Bill, by striking out the number "8" and substituting therefor the number "9".

Amend Section 8, line 2, page 16 of the Bill, by inserting after the figures "70-711" the figures ", 70-712".

Amend Section 9, line 1, page 16 of the Bill, by striking therefrom the number "9" and substituting therefor the number "10".

Mr. Hubka offered an amendment to the Gantz amendment.

Mr. James H. Anderson moved a call of the House.

A call of the House was ordered.

Forty members were present.

Mr. Neubauer moved to raise the call.

The motion was lost with 18 ayes, no nays, 15 not voting.

Mr. James H. Anderson moved to raise the call.

The motion prevailed with 21 ayes, 10 nays, 12 not voting.

Mr. Sorrell changed his vote from aye to nay and moved a call of the House.

The motion was lost with 14 ayes, 19 nays, 10 not voting.

Mr. Sorrell changed his vote from nay to aye.

The Hubka amendment was lost with 20 ayes, 21 nays, 12 not voting.

MOTION—To Recess

Mr. Sorrell moved that the Legislature recess for ten minutes.

The motion was lost.

MOTION—To Adjourn

Mr. Sorrell moved to adjourn.

The motion was lost with 17 ayes, 19 nays, 7 not voting.

MOTION—To Lay on Table

Mr. Sorrell moved to lay L. B. 286 on table until tomorrow morning.

The motion prevailed with 16 ayes, 12 nays, 15 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 434. Presented to the Governor for approval Thursday, May 6, 1943, at 11:00 a. m.

LEGISLATIVE BILL 417. Presented to the Governor for approval Thursday, May 6, 1943, at 2:40 p. m.

LEGISLATIVE BILL 195. Placed on Select File with amendments.

E and R amendments to L. B. 195:

1. In Standing Committee amendment No. 1, strike: the word "shall" at the end of said amendment, and in lieu thereof insert: "~~may~~ **shall**".

2. In Standing Committee amendment No. 2, 3rd line of Section 3, strike the word "On" and in lieu thereof insert: "~~On~~ **Upon**"; 4th line, before "." insert ";"; page 2, 3rd line, after "**and**" and before "**duly**" insert "**are**"; 9th line, strike ", and" and in lieu thereof insert "; and,"; 12th line, strike "," and in lieu thereof insert "; ,".

3. In Standing Committee amendment No. 6, page 3, 1st line, strike "or" after "manner" and in lieu thereof insert "of".

4. In the bill, Section 1, page 2, line 12, after "trustee" strike ";" and in lieu thereof insert ";"; line 16, before "**county**" at the end of the line, strike "**the**" and in lieu thereof insert "**a**"; insert "," in line 19 after "**resolution**", line 20 after "**trustees**" and also after "**petition**".

5. In the bill, Section 2, page 2, strike all of line 3 beginning with the word "After" and in lieu thereof insert: "~~After the adoption of~~ **Upon filing** such"; line 4, strike "by" after "resolution"and in lieu thereof insert "~~by~~ **of**", and in said line, strike "**of**" after "**or**", and strike "**by**" after "**petition**", and in lieu thereof insert "**of the**"; line 5, strike "," after "**electors**" and in lieu thereof insert "**with it,**", and in said line strike "~~trustees~~" and in lieu thereof insert "~~trustee~~"; lines 7 and 8, strike: "**to publish notice of such submission, and**"; line 9, after "**election**" insert: "**, after having published a notice of such submission,**", line 11, after "in" insert "~~substantially~~"; insert "," at the end of line 5 after "**board**", page 3, line 14 after "district".

LEGISLATIVE BILL 139. Replaced on Select File with amendments.

E and R amendments to L. B. 139:

1. Strike Legislature amendment of Mr. Foster on May 4, and in lieu thereof, in the bill, Section 11, formerly 12, page 8, line 39, after the end of said section, insert: "**17. Advertising any price or prices of corrective devices or services.**".

2. In the bill, Section 3, page 3, line 17, strike the word "**the**" at the end of the line, it being repeated at the beginning of line 18 of the original bill but not shown in the printed bill.

3. In the bill, page 17, Section 21, formerly 22, line 56, strike "**10.**" and in lieu thereof insert "**11.**" (to avoid duplication of said number).

LEGISLATIVE BILL 328. Placed on Select File with amendments.

E and R amendments to L. B. 328:

1. Strike the General File amendments by Mr. Peterson, adopted April 29th.

2. In the bill, Section 1, page 2, line 6, strike: "; but no", and in lieu thereof insert: "~~; but no~~ **. No**"; line 7, after "his" insert "**or her**"; line 9, strike: "he resides, not" and in lieu thereof insert: "~~he resides, no~~ **. No**"; line 11, strike "and" and in lieu thereof insert: "~~and~~ **nor**"; line 13, after "he" insert "**or she**" and after "laws" insert ","; line 16 strike "will" and in lieu thereof insert "~~will~~"; strike the word "shall" at the beginning of line 20 and in lieu thereof insert "~~shall~~" and in said line strike "he was" and in lieu thereof insert "~~he was~~"; line 22, after "making" and also at the end of the line, after "for", insert the word "**an**"; line 23, after "appointment" insert "**as such**"; lines 24 and 30, strike the word "notary" and in lieu thereof insert: "a notary **public**";

line 25, strike the comma after "Nebraska" and in lieu thereof insert "**;**"; line 31, strike "shall have" and in lieu thereof insert: "shall have **has**".

3. In the bill, Section 1, page 3, line 41, strike: "**of the State of Nebraska**"; line 42, strike "**, and upon**", and in lieu thereof insert: "**. Upon**"; lines 43 and 44, strike: "**of the State of Nebraska**"; insert the word "**the**" in line 46 after "**all**" also in line 47 after "**all**"; strike all of line 50 after "**which**" and "**notary commissioner for one county**" in line 51, and in lieu thereof insert "**commissioned**".

4. In the bill, title, page 1, strike all of the title after "public;" in the 4th line, and in lieu thereof, insert: "to provide for the appointment and commissioning of general notaries public and the furnishing of bonds thereby, the filing of the bond with the Secretary of State and certain procedure and requirements in regard thereto; and to repeal the original section."

LEGISLATIVE BILL 400. Placed on Select File with amendments.

E and R amendments to L. B. 400:

1. In Standing Committee amendment to the title, 5th line, strike the comma after "dissolution", and in Section 1, 3rd line, before "used" insert a comma.

2. In Standing Committee amendment, Section 2, 1st line, after "elsewhere", insert "provided", and strike: "provided," after "act", and at the end of the line strike the word "except"; 4th line, strike: "24-1.103" and in lieu thereof insert "24-1,103" and strike "24-1.104" and in lieu thereof insert "24-1,104"; 9th line, strike the comma after "profit".

3. In Standing Committee amendment, Section 3, 2nd line, insert a comma before "organized" and also after "act"; page 2, 2nd line, strike: "at every meeting"; 3rd line, insert a comma after "vote", and strike the period at the end of the line and in lieu thereof insert: ", at every meeting.".

4. In Standing Committee amendment, Section 4, page 2, insert a comma in the 6th line after "power", also at the end of the line, after "existence".

5. In Standing Committee amendment, Section 6, page 2, 1st line, insert a comma after "corporations"; 7th line, strike the comma after "conferred"; insert a comma at the end of the 9th line after "cor-

poration"; 12th line, insert a comma after "replaced"; page 3, 1st line, strike the comma after "Incorporation"; 2nd line, strike the comma after "act"; 8th line, before "notice" insert the word "the".

LEGISLATIVE BILL 184. Placed on Select File with amendments.

E and R amendments to L. B. 184:

1. In the bill, Section 1, pages 2 and 3, line 17, strike the comma after "county" and in lieu thereof insert "~~,~~"; lines 21 and 31, strike: ", Provided" and in lieu thereof insert: "~~,~~ ~~Provided~~ **provided**"; line 23, strike "the same" and in lieu thereof insert "~~the same~~"; line 24, strike the comma after "notes" and in lieu thereof insert "~~,~~"; line 25, strike ", said" and in lieu thereof insert: "~~,~~ ~~said~~ **. The**" and in said line, strike "to" after "payments" and in lieu thereof insert "~~to~~ **shall**"; lines 26 and 27, strike ", the interest" and in lieu thereof insert: "~~,~~ ~~the interest~~"; line 29, strike "them" and in lieu thereof insert "~~them~~ **it**"; line 48, strike the comma after "county" and in lieu thereof insert "~~,~~"; insert "," in line 26 after "annum", line 32 after "lease", line 40 after "highways", line 42 after "road" also after "purpose", line 51 after "plat", line 55 after "plat".

2. In the bill, Section 1, pages 4 and 5, line 86, after "shall" insert "**(a)**"; line 87, strike "which shall" and in lieu thereof insert "~~which shall~~ **(b)**"; line 88, strike "which shall" and in lieu thereof insert "~~which shall~~ **(c)**"; line 90, strike "which shall" and in lieu thereof insert "~~which shall~~ **and (d)**"; strike the comma at the end of line 97 and in lieu thereof insert "~~,~~"; insert "," in line 85 after "adopt", line 86 after "elect", line 96 after "regulations" and at the end of the line after "resolution", line 116 after "**mandatory**", line 117 after "**inhabitants**".

3. In the bill, Section 2, pages 5 and 6, line 9, strike "and" before "which" and in lieu thereof insert "~~and~~"; insert "," in line 17 after "**and**" and at the end of line 19 after "**government**".

4. In the bill, Section 3, page 6, line 3, before "purchasing" insert "**competent person as**"; lines 3 and 4, strike "be a competent person and who is not" and in lieu thereof insert "**not be**"; line 5 strike "his" and in lieu thereof insert "**such**"; line 7, strike ";and the" and in lieu thereof insert "**. The**"; strike the word "shall" at the end of line 8; line 9, after "amount" insert "**as**".

5. In the bill, Section 4, page 6, line 9, strike the word "shall"; insert "," in line 12 after "rooms".

6. In the bill, Section 5, page 7, line 10, insert "," after "act".

7. In the bill, Section 6, page 7, line 2, insert "," after "board"; line 14, strike "or" before "supplies" and in lieu thereof insert "**of**".

8. In the bill, Section 7, pages 8 and 9, line 8, strike "county-wide" and in lieu thereof insert "**general**"; line 9, before "at" insert "**in the county**"; line 21, strike the comma after "government"; insert "," in line 16 after "contracts", line 17 after "agency", line 30 after "record" and before "with", line 31 after "shall".

9. In the bill, Section 8, page 9, line 8, insert "," after "obligations"; line 18, strike the comma after "contract".

10. In the bill, Section 9, pages 9 and 10, line 3, strike "in" after "interest"; strike "or" at the end of line 11, and in lieu thereof insert "**,**"; line 12, strike the comma after "whatsoever" and after "obligation" strike the comma and in lieu thereof insert "**or**".

11. In the bill, Section 10, line 4, strike the word "department" and in lieu thereof insert "departments".

LEGISLATIVE BILL 329. Placed on Select File with amendments.

E and R amendments to L. B. 329:

1. Strike Standing Committee amendment No. 2, and in lieu thereof, in the bill, Section 5, page 4, line 2, after "may" insert: ", if such judge deems it advisable,".

2. Strike Standing Committee amendment No. 3, and in lieu thereof, in the bill, page 4, strike all of Section 6, after "Sec. 6." and in lieu thereof insert: "The minor child to be adopted, unless such child is over fourteen years of age, and the person or persons desiring to adopt the child must appear in person before the county judge at the time of hearing."

3. In the bill, Section 1, page 2, line 5, strike ", and if" and in lieu thereof insert ". It"; line 8, strike "an adult" before "wife".

4. In the bill, Section 3, page 2, strike "And the" at the beginning of line 4, and in lieu thereof insert "The"; line 7, strike "his".

5. In the bill, Section 4, pages 2 and 3, line 6, strike ", or" and in lieu thereof insert ";"; lines 14 and 15, strike "child's have" and in lieu thereof insert "child having"; line 17, before "any" insert "and", and in said line, before "(iv)" insert "or"; line 41, strike "must be".

6. In the bill, Section 5, page 4, line 6, strike "to" after "and"; line 8, strike the comma after "Control" and also after "agency"; line 9, strike "shall" after "and"; line 10, strike ". Such report shall be"; lines 10 and 11, strike "and shall be made".

7. In the bill, Section 7, page 4, line 6, after "petitioning" insert "for such".

8. In the bill, Section 8, page 4, strike "the person" at the end of line 1, all of line 2 and "each other" at the beginning of line 3; line 3, strike the comma after "child"; line 6, after "adopting" insert "such child".

9. In the bill, Section 9, page 5, line 3, after "for" insert "such child"; strike "shall" at the beginning of line 4, and in said line, after "his" insert "or her".

10. In the bill, Section 10, page 5, line 4, strike the comma after "made".

11. In the bill, Section 11, page 5, line 2, strike "his" and in lieu thereof insert "the county"; line 3, strike "such papers shall be by him".

12. In the bill, Section 12, page 5, line 2, strike ", as now are" and in lieu thereof insert "as are now".

13. Insert a comma in the following places, in the bill: Section 2, line 1, after "persons", line 2 after "court"; Section 3, line 7 after "may" and also after "discretion"; Section 4, line 15 after "child", line 25 after "child", line 26 after "Control", line 34 after "hereof"; Section 5, line 5 after "facts", line 6 after "child"; Section 10, line 2 after "decree" and also after "act".

14. In the bill, title, page 1, 3rd line, strike the word "proper", and at the end of said line strike "; to" and in lieu thereof insert: "and the effect thereof; to prescribe and"; 5th and 6th lines, strike "and of" and in lieu thereof insert a comma; 6th line, strike the semicolon and in lieu thereof insert: "and certain other designated persons;".

Correctly Engrossed

L. B. 386 L. B. 194 L. B. 112 L. B. 242

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 32. Appreciation, Don Kellogg.

Introduced by Fred A. Mueller, Charles F. Tvrdik and Tom C. Osborne:

WHEREAS, Don Kellogg has served as State House reporter for the Lincoln Star throughout the present legislative session; and

WHEREAS, he has been called to service in the Army of the United States, NOW THEREFORE

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEBRASKA IN FIFTY-SIXTH SESSION ASSEMBLED:

1. That this Legislature desires to express its sincere appreciation for the competent and impartial manner in which he has reported the deliberations of this body, and for his courteous and gentlemanly demeanor in his relations with the members thereof.

2. That this Legislature further desires to express its hope that in all of his undertakings he will be preserved by Providence from the fury of the elements and the violence of the enemy; that his services will contribute materially to our complete and early victory, and that his joyous reunion with his family will not be long delayed.

3. That this Resolution be spread at large upon the pages of the journal of this Legislature, and that a copy of the Resolution, suitably engrossed, be forwarded to Mr. Kellogg at his home in Lincoln, Nebraska, and that another copy similarly engrossed be forwarded to his wife, Mrs. Joanne Lyman Kellogg, at her home in Lincoln, Nebraska.

Mr. Mueller moved that the rules be suspended and the resolution adopted.

The motion prevailed unanimously.

LEGISLATIVE RESOLUTION 33. Occupation Taxes of Corporations.

Introduced by C. Petrus Peterson,
Chairman, Banking, Commerce and Insurance

The Committee on Banking, Commerce and Insurance has inquired into the processes for the collection of occupation taxes payable by corporations. The initial responsibility rests on the office of the Secretary of State. The final responsibility rests on the office of the Attorney General.

The Secretary of State supplied the committee with the information shown by Exhibits "A" and "B" attached and stated that the uncollected items had been reported to the Attorney General. The Attorney General's office advises that the lists have not in recent years been forwarded to them by the Secretary of State.

Between the two offices there is an apparent failure to adequately enforce the collection of these taxes.

Be it therefore Resolved that the State Auditor be directed to investigate this item and report his findings to the Governor.

A Report on Domestic Corporation Occupation

Tax for the period 1937-1942, inc.

Exhibit "A"

YEAR	REPORTING CORPORATIONS	TAX PAID
1937	3132	$ 98,608.21
1938	3378	95,395.90
1939	3311	95,585.50
1940	3268	84,456.50
1941	3267	85,115.74
1942	2837	87,324.70
Totals	19202	$546,486.55

The Delinquent Tax Situation in Nebraska with respect to Domestic Corporations for the period, 1937-1942, inc.

Exhibit "B"

YEAR	NUMBER DELINQUENT	TAX DUE *	TAX COLLECTED	% COLLECTED
1937	215	$ 2259.75	$ 529.00	23.4%
1938	209	2477.25	227.75	9.2%
1939	224	1587.00	310.50	20.0%
1940	193	2794.50	414.00	15.0%
1941	140	1115.50	384.25	34.46%
1942	203	2817.25	1281.50	45.49%
Totals	1184	$13051.25	$3147.50	24.11%

* This includes only the known tax and penalty.

Mr. Peterson moved that the rules be suspended and the resolution adopted at once.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Approved by the Governor

May 6, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 434 L. B. 251

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

Adjournment

At 5:30 p.m. on motion by Mr. Garber, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, May 7, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Burnham, who was excused.

The Journal for the Eighty-fifth Day was approved.

Petitions and Memorials

Mr. Crosby and Mr. Doyle introduced a petition opposing L. B. 153.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 277. With emergency clause.

A bill for an act to amend section 68-260, C. S. Supp., 1941, relating to old age assistance; to increase the maximum amount that may be paid to any person as assistance from thirty dollars per month to forty dollars per month; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Burnham
Jeffords
Mekota
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 438. With emergency clause.

A bill for an act to establish the boundary line between Iowa and Nebraska by agreement; to cede to Iowa and to relinquish jurisdiction over lands now in Nebraska but lying easterly of said boundary line and contiguous to lands in Iowa; to provide that the provisions of this act shall become effective upon the approval of and consent of the Congress of the United States of America to the compact effected by this act and House File 437 of the 1943 Session of the Iowa Legislature; to repeal Chapter 121, Session Laws of Nebraska, 1941; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Dooley
Doyle
Foster
Gantz
Garber
Jeffords
Jeppesen
Klaver
Lee
Matzke
Ogden
Osborne
Peterson
Raecke
Reavis

Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Mekota
Mischke
Mueller
Neubauer
Norman
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Burnham
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE.

LEGISLATIVE BILL 414. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 422. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 353. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 297. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 139. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 328. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 400. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Laid over for one day.

LEGISLATIVE BILL 184. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 329. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE

Speaker Crosby Presiding

LEGISLATIVE BILL 286. Mr. Peterson offered the following amendment to the Gantz amendment:

Amend the Gantz amendment to the bill, by striking all of lines 114 to 123, on page 3 thereof, and inserting the following in lieu thereof:

"1941~~.~~ , and amendments thereof. In determining the amount of such severance damages, the court shall take into account, together with any other relevant factors, the economic effect, if any, upon the system as a going concern as it remains after the severance, caused by severance therefrom of the part taken.

President Johnson Presiding

The amendment was adopted with 24 ayes, 8 nays, 11 not voting. Mr. Hubka moved to amend the Peterson amendment, just adopted, to the Gantz amendment, as follows:

Amend the Peterson amendment, just adopted, to the Gantz amendment, by adding thereto as follows: "In entering its award the court shall show how much of the total thereof was allowed for the physical property taken and how much was allowed for other values and damages if any".

The amendment was adopted with 24 ayes, 2 nays, 17 not voting.

Mr. Crosby offered an amendment, which was lost with 6 ayes, 15 nays, 22 not voting.

Record vote was requested on the Gantz amendment:

Voting in the affirmative, 28:

Anderson, D. S.
Bowman
Brodahl
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mischke
Neubauer
Peterson
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 4:

Lee
Matzke
Osborne
Raecke

Not voting, 11:

Anderson, James H.
Asimus
Burnham
Craven
Doyle
Garber
Hanna
Mekota
Mueller
Norman
Ogden

The Gantz amendment, as amended, was adopted.

Mr. Cullingham offered the following amendment, which was adopted with 15 ayes, 14 nays, 14 not voting:

Amend page 7, section 3, line 11, by inserting the following words and punctuation after the period and before the numeral "(2)": "The district shall have the power to insure its property against every manner of loss or injury or its liability; or, by reserves for that purpose, provide against such loss, injury or liability. Such district, through the Board of Directors, may also, and is hereby specifically authorized to make contracts of insurance with any insurance company or non-profit hospitalization corporation or association, or non-profit medical service, or other health, benefit or relief corporation or association authorized to transact business within the State, insuring its employees, or any class or classes thereof, under a policy or policies of group insurance covering life, health, hospitalization, medical service or accident insurance, and may contract with any such company granting annuities or pensions for the pensioning or retirement of its employees; and, for such purposes, may agree to pay part or all of the premiums or charges for carrying such contracts, and may charge as operating expenses any money necessary to pay any such premiums or charges or portions thereof. The district is hereby also authorized to deduct from the employee's pay, salary or compensation, such part of the premium as is payable by the employee, and as may be authorized by the employee, in writing. All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws of Nebraska concerning group insurance and group annuity contracts. In the exercise of this power, the district may assume or continue in force any contracts in force and entered into by its predecessor in ownership of such electric utility, or may enter into new or different contracts and take into consideration therein prior years of service of the employees with the predecessor or predecessors in ownership of such electric utility."

Mr. Cullingham offered the following amendment:

Amend page 12, Section 4, by striking all of said section following the numerals 70-710 and inserting the following: "The Board of Directors shall have authority to receive bids for all work of construction, repair or otherwise, which it may desire to have done by contract, or for materials and supplies to be used in connection with such work, which said bids shall be received after reasonable advertisement therefor, and when opened shall be read in public session, and the Board of Directors may award contracts based upon said bids to the lowest responsible bidders; provided, however, the Board of Directors may, for such reasons as appear to it good and substantial, reject all bids; and said Board of Directors shall also have power and authority to itself do all of said work and to directly purchase materials and supplies without advertising for bids, and without entering into a contract with any other person or companies in relation thereto.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 438. Correctly enrolled.

LEGISLATIVE BILL 300. Correctly engrossed.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 438.

SELECT COMMITTEE REPORTS

Legislative Council

Statement of Bill Drafting Expense
Fifty-sixth Session, 1943
January 1, 1943 to April 1, 1943

The Legislative Council herewith reports its expenditures for bill drafting for the months of January, February, March and April, 1943, as follows:

January		$1,364.24
Salaries		
Walter D. James	$ 416.66	
John J. Wilson	450.00	
Henrietta Zeller	125.00	
Guinevere Gruver	110.00	
Winifred Stewart	100.00	
Helen Connelly	61.29	
Florence Castle	61.29	
Doris Ann Stauder	40.00	
	$1,364.24	

February		$1,295.88
Salaries		
Walter D. James	$ 416.66	
John J. Wilson	300.00	
Henrietta Zeller	129.03	
Guinevere Gruver	113.54	
Helen Connelly	103.33	
Florence Castle	103.33	
Patricia Maudslay	75.00	
Doris Ann Stauder	51.66	
Virginia Connelly	3.33	
	$1,295.88	

March	$1,001.66

Salaries

Walter D. James	$ 416.66
Henrietta Zeller	125.00
Guinevere Gruver	110.00
Helen Connelly	100.00
Patricia Maudslay	100.00
Florence Castle	100.00
Doris Ann Stauder	50.00
	$1,001.66

April	$888.24

Salaries

Walter D. James	$416.66
Henrietta Zeller	125.00
Guinevere Gruver	110.00
Helen Connelly	33.30
Patricia Maudslay	53.28
Florence Castle	100.00
Doris Ann Stauder	50.00
	$888.24

TOTAL—January, February, March and April, 1943...$4,550.02

For the purpose of comparison, expenditures for the 1941 Session for the same months were as follows:

January	$1,578.00
February	1,665.47
March	1,317.13
April	1,237.75
	$5,798.35

TOTAL—January, February, March and April, 1941...$5,798.35

Attention is also called to the fact that pre-session bill drafting expense in the amount of $1,485.66 was paid from Legislative Council funds for which no reimbursement was had, as in previous years.

In addition to bill drafting expense shown above, the services of Lenore Fuchs and Dorothy Smith whose salaries are being paid by the

Research Department of the Legislative Council, have been almost entirely devoted to work for the Appropriations Committee, at no expense to the Legislature.

May Fourth, 1943

Respectfully submitted,
(Signed) Stanley A. Matzke
Chairman—Legislative Council

Recess

At 11:55 a.m. on motion by Mr. Greenamyre, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Asimus, and except Messrs. Burnham and Thomas, who were excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 206 L. B. 167 L. B. 157 L. B. 182

(Signed) James H. Anderson, Chairman

GENERAL FILE

LEGISLATIVE BILL 286. The Cullingham amendment last above set out was lost with no ayes, 15 nays, 28 not voting.

Mr. Garber offered an amendment which was lost with 12 ayes, 16 nays, 15 not voting.

Mr. Garber offered an amendment which was lost with 13 ayes, 20 nays, 10 not voting.

Mr. Thompson moved to strike the Cullingham amendment to Page 7, Sec. 3, line 11 of the bill.

The motion prevailed with 25 ayes, no nays, 18 not voting.

Mr. Garber offered the following amendment:

Amend Sec. 2, page 5, line 33 of the printed bill by striking out the period after the first word "manner" in said line and inserting thereafter the following words and punctuation: "; provided, however, that the general manager shall not be paid, either directly or indirectly, as a salary, compensation, wages or profit a sum which, in the aggregate, is in excess of $14,500.00 per year."

Record vote was requested.

Voting in the affirmative, 15:

Carmody
Craven
Doyle
Gantz
Garber
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Osborne
Raecke
Sorrell
Thompson
Weborg

Voting in the negative, 18:

Anderson, D. S.
Anderson, James H.
Brodahl
Crosby
Cullingham
Dooley
Foster
Greenamyre
Gutoski
Hubka
Matzke
Mischke
Norman
Ogden
Peterson
Rakow
Reavis
Tvrdik

Not voting, 10:

Asimus
Bowman
Burnham
Conklin
Crossland
Hanna
Heiliger
Klaver
Lee
Thomas

The amendment was not adopted.

Mr. Garber offered the following amendment:

Amend section 2, page 6, line 62, by inserting after the word "day" in line 62 the following words and punctuation: "After any public power district or public power and irrigation district begins the operation of any electric light and power plant or irrigation works owned by any district organized under the provisions of this act, no officer, attorney, agent, servant or employee of such district, except the general manager, shall be paid or receive any salary, compensation, wage, profit or fee, either directly or indirectly, which, in the aggregate, exceeds the sum of $8,000.00 per year."

Record vote was requested.

Voting in the affirmative, 13:

Craven
Doyle
Gantz
Garber
Jeffords
Jeppesen
Mekota
Neubauer
Osborne
Raecke
Rakow
Sorrell
Weborg

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Brodahl
Crosby
Crossland
Cullingham
Dooley
Foster
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mischke
Norman
Ogden
Peterson
Reavis
Tvrdik

Not voting, 10:

Asimus
Bowman
Burnham
Carmody
Conklin
Klaver
Lee
Mueller
Thomas
Thompson

The amendment was not adopted.

Mr. Craven offered the following amendment:

1. Amend page 6 of the bill, present section 2, line 53, by striking the words "an experienced" and substituting in lieu thereof the following: "**a certified**".

2. Amend page 6 of the bill, section 2, by striking lines 54 to 57, inclusive, and substituting the following in lieu thereof: "or firm of **such accountants, who shall be selected by the Auditor of Public Accounts.** ~~copies of a written report of which audit, certified to by said auditors,~~ **The audit shall be in a form prescribed by the Auditor of Public Accounts and shall contain and show the items set forth in subsection 2 of this section. When the audit has been examined and approved by the Auditor of Public Accounts, written copies of the audit** shall be placed and kept on file at the principal place of business of the district and shall be filed with the ~~governor~~ **Auditor of Public Accounts,** within **one hundred and twenty days after December 31 of each year. The Auditor of Public Accounts shall charge the expense of such audit to such district, and each district shall pay to the Auditor of Public Accounts the reasonable cost thereof.**"

3. Amend page 6 of the bill, by inserting after present section 2, line 70, two new subsections reading as follows:

"(2) That in each public power and public power and irrigation district in Nebraska, the Auditor of Public Accounts shall cause the books of account kept by the board of directors of such districts to be examined and audited. Such audits shall show: (1) the gross income from all sources of said district for the year previous; (2) the gross amount of electrical energy supplied by said district; (3) amount expended during the previous year for maintenance; (4) amount expended during previous year for plant investments; (5) amount of depreciation of plant during previous year; (6) cost of supplying electrical energy, including production cost, transmission cost and distribution cost; (7) number of employees as of December 31 each year; (8) salaries paid employees; and (9) all other facts necessary to give an accurate and comprehensive view of the cost of maintaining and operating said plant.

(3) The foregoing audit and report shall be made at the close of the fiscal year. The person making said examination and audit shall have access to all books, records, vouchers, papers, contracts, or other data containing information on said subject in the office of said public power or public power and irrigation district, or in the office of the general manager of such district, or in the possession or under the control of any of the officers, agents, or servants of said district; it is hereby made the duty of all officers, agents, and servants of said public power or public power and irrigation district to furnish to the Auditor of Public Accounts, his agents, servants, and employees, such information regarding the auditing of such public power or public power and irrigation districts as may be demanded."

Speaker Crosby Presiding

Mr. Thompson moved to amend the Craven amendment.

The motion was lost with 11 ayes, 14 nays, 18 not voting.

The Craven amendment was adopted with 26 ayes, 4 nays, 13 not voting.

Referred to E and R for review.

Mr. Crossland moved that the bill drafter be instructed to correlate immediately all amendments to L. B. 286, so far adopted, and mimeograph the same for the use of members.

The motion prevailed.

LEGISLATIVE BILL 248. Mr. Craven moved that L. B. 248 and L. B. 405 be made special order of business for Monday, May 10, 1943, at 10:00 a. m.

The motion prevailed.

LEGISLATIVE BILL 283. Laid over. Retains place on File.

LEGISLATIVE BILL 408. Laid over. Retains place on File.

LEGISLATIVE BILL 71. Read and considered.

Mr. Garber offered the following amendments, which were adopted:

Amend Section 1, line 32, by striking out the words "operating its own electric light plant" after the word "now" and inserting in lieu thereof "generating its own electric energy".

Amend Section 2, page 3, line 23, by striking out the words "operating its own electric light plant" after the word "now" and inserting in lieu thereof "generating its own electric current".

Laid over.

Approved by the Governor

May 7, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 294 L. B. 438

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

Members Excused

Mr. Norman and Mr. Foster were excused until Monday morning.

General File (Continued)

LEGISLATIVE BILL 420. Read and considered.

Mr. Greenamyre Presiding

Mr. Carmody offered the following amendment, which was adopted:

Amend Sec. 1, lines 7, 8 and 9, by striking the words "fifty-seven hundred fifty" and insert the words "sixty-five hundred".

Mr. Mekota moved that the bill drafter be directed to prepare and submit to the Legislature forthwith an amendment to L. B. 420 striking all provisions thereof except those relating to County Judges and deputies and assistants in county offices.

Laid over.

MOTION—To Adjourn

Mr. Doyle moved to adjourn.

The motion was lost.

LEGISLATIVE BILL 236. Unanimous consent was granted to read only the new matter.

Mr. Brodahl offered the following amendment, which was adopted:

1. Amend page 3 of the bill, by adding a new section, to be numbered "4", reading as follows:

"Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the title to the bill by striking the word "and" in line 6, and by inserting after the word "sections" and before the punctuation in line 7, the following: "; and to declare an emergency".

Referred to E and R for review.

LEGISLATIVE BILL 435. Unanimous consent was granted to read only the new matter.

Referred to E and R for review.

Member Excused

Mr. Raecke was excused until Monday.

LEGISLATIVE BILL 436. Mr. Matzke asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Referred to E and R for review.

LEGISLATIVE BILL 176. Laid over.

President Johnson Presiding

LEGISLATIVE BILL 418. Mr. Brodahl asked unanimous consent to withdraw his amendment offered on April 29, 1943.

No objection was offered. So ordered.

Mr. Brodahl offered the following amendments, which were adopted:

1. Amend page 2 of the bill, by adding two additional sections, numbered "2" and "3", reading as follows:

"Sec. 2. That section 2-1718, C. S. Supp., 1941, be amended to read as follows:

2-1718. No seed or grain screenings~~,~~ or feed of any kind containing noxious weed seed shall be transported by any person over or along any highway in this state or by any railroad operating in this state, unless the same is carried or transported in such vehicles or containers as will prevent the leaking or scattering thereof; nor shall any seed or grain, screenings thereof~~,~~ or any other material containing noxious weed seed be sold **or furnished** to persons, firms or corporations within this state, except when sold **or furnished** to such persons, firms or corporations for the purpose of such processing as will destroy the viability of all noxious weed seed present in such material. In no instance shall material of any kind which is infested with noxious weed seed be sold **or furnished** as seed, nor as livestock feed, until it shall have been processed in the manner heretofore described. All common carriers shall thoroughly clean and destroy all offal and other refuse in cars, trucks, vehicles or other receptacles used by them after each load shall have been delivered to consignee before again placing such car, truck, vehicles or receptacles in service. **The Department of Agriculture and Inspection may, in its discretion, promulgate and publish such reasonable rules and regulations, as it may deem ncessary, respecting the removal from the premises upon which it is located of nursery stock, soil or sod, manure or fertilizers, fence posts, railroad ties, fencing or other materials which contain or are impregnated with noxious weed seed or such parts of the plant that could cause new growth.**

Sec. 3. That section 2-1721, C. S. Supp., 1941, be amended to read as follows:

2-1721. Any person, firm or corporation, who violates any of the provisions of this ~~Act~~ **act, or any regulations lawfully promulgated by the Director of the Department of Agriculture and Inspection,** or who fails, refuses or neglects to perform any of the duties enjoined upon him by this ~~Act~~ **act,** for the violation of which a specific penalty is not provided in this ~~Act~~ **act,** shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than ~~Ten Dollars ($10.00)~~ **ten dollars** nor more than ~~Five Hundred Dollars ($500.00)~~ **five hundred dollars**~~.~~ **; Provided, that a violation of the rules and regulations promulgated and published by the Director of the Department of Agriculture and Inspection shall be punishable only by the minimum penalty above provided.**"

2. Amend page 3 of the bill, by striking all of present section 2, and inserting in lieu thereof the following:

"Sec. 4. That original sections 2-1712, 2-1718, and 2-1721, C. S. Supp., 1941, are repealed."

3. Amend the title, line 2, by inserting after the punctuation following the figures "2-1712" the following: "2-1718 and 2-1721,".

4. Amend the title, line 12, by inserting after the punctuation following the word "weeds" the following: "to prohibit the removal of objects or materials which contain or are impregnated with noxious weeds; to provide penalties;" .

5. Amend the title, line 13, by striking the word "section" and inserting in lieu thereof the word "sections".

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 428
L. B. 423
L. B. 421
L. B. 368
L. B. 219

LEGISLATIVE BILL 293. Placed on Select File with amendments.

E and R amendments to L. B. 293:

1. In the bill, Section 1, pages 2 and 3, insert "," in line 6 before "as", line 13 after "vehicle", line 19 after "**may**" and also after "**time**" and before "**establish**", line 20 after "**carriers**", line 29 before "**shall**"; strike the comma and in lieu thereof insert ";" in line 10 after "records" and before "and", line 11 after "employees", line 16 after "records" and before "and", at the end of line 17 after "employees", line 36 after "therewith"; strike the comma in line 24 before "**and**" ; lines 24 and 25, strike: "**consistent with the provisions of this Act,**"; line 27, strike the period after "**interest**" and in lieu thereof insert: "**and as are consistent with the provisions of this act.**" ; line 28, strike "**to be**" ; also strike "**issued,**" after "**heretofore**" .

2. In the bill, Section 3, page 3, insert a comma in line 2 after "effect" .

3. In the bill, title, page 1, 10th line, after the semicolon and before the word "to" insert: "to prescribe the use and effect of such classification and rules, regulations and requirements;" .

LEGISLATIVE BILL 332. Placed on Select File with amendments.

E and R amendments to L. B. 332:

1. In the bill, Section 1, page 2, line 2, strike the comma after "county" and in said line strike the comma after "township"; line 4, strike "his" and in lieu thereof insert "such" and insert a comma after "office"; line 3, after "him" insert "or her," ; line 12, after "qualify" insert the word "them"; line 14, after "such" and before "deposit" insert "a"; insert a comma in line 4 after "office"; line 15 after "funds" and in line 14 after "subdivisions"; line 16, strike "and" after "association" and in lieu thereof insert the word "or" and in said line, strike the comma after "thereof" and after "such" and before "cooperative" insert the word "a" .

2. In the bill, title, page 1, 3rd line, insert a comma after "associations"; 4th line, strike: "boundaries of a county, or within"; 7th and 8th lines, strike: "; to provide conditions to such deposits;" and in lieu

thereof insert: "under the prescribed conditions;" ; 9th line, after "such" and before "deposit" insert the word "a"; 11th line, strike "such resident" and in lieu thereof insert : "or become a member of such"; strike ", or" at the end of the 11th line and all of the 12th and 13th lines, and in lieu thereof insert a period.

LEGISLATIVE BILL 339. Placed on Select File with amendments.

E and R amendments to L. B. 339:

1. In Standing Committee amendment, 1st line of the insertion, strike "Section" and in lieu thereof insert "Sec." .

2. In the bill, Section 1, page 2, line 1, insert a comma after "class" , and at the end of the line, after "having" insert: "a population"; strike the word "inhabitants" at the beginning of line 2, and after the word "thousand" and before "or" insert "inhabitants"; strike all of line 4 after "treasurer" and all of lines 5 to 8, inclusive, and in lieu thereof, insert: "and provide for the payment of a salary to the person holding such combined offices which shall not be in excess of the maximum amount provided by law for the salary of such a clerk in such a city or village plus the maximum amount provided by law for the salary of such a treasurer in such a city or village. When these offices are so combined, the duties of treasurer shall be performed by the clerk."

3. In the bill, title, page 1, strike all of the title after "ACT" and in lieu thereof, insert: "relating to cities of the first class, having a population of twenty-five thousand inhabitants or less, cities of the second class and villages; to provide that such cities and villages may enact ordinances combining the offices of city clerk and city treasurer; to provide for the salary of such combined office; to provide that, in such an event, the clerk shall perform the duties of such treasurer; and to declare an emergency."

LEGISLATIVE BILL 413. Placed on Select File with amendments.

E and R amendments to L. B. 413:

1. In the bill, Section 1, page 2, insert "," at the end of line 3, after "election"; line 10, after "his" insert "or her".

2. In the bill, Section 2, page 2, lines 1 and 2, strike "Compiled Statutes of Nebraska, 1929," and in lieu thereof insert "C. S. Supp., 1941,"; line 10, after "the" and before "day" insert: "hour for the opening of the polls, the"; strike "places," at the end of line 10 and all of

line 11 except the word "Each", and in lieu thereof insert: "place ; as well as the hour for the opening of the polls ." ; line 12, after "his" insert "**or her**"; line 14, strike "shall" and in lieu thereof insert "shall" .

3. In the bill, Section 3, page 2, line 6, strike: "sickness of self, or", and in lieu thereof insert: "**his or her own** sickness of self , or **the**"; line 7, strike "family," and in lieu thereof insert "**or her** family ;" .

4. In the bill, Section 4, page 3, line 10, after "his" and before "ballot" insert "**or her**"; line 11, strike the comma after "voting" and in lieu thereof insert ";" .

5. In the bill, Section 5, pages 3 and 4, line 3, strike the comma after "public" and in lieu thereof insert ";"; strike the comma and in lieu thereof insert ";" in line 6 after "beginning", line 12 after "locked", line 13 after "opened", line 18 before "and"; line 7, strike "that may be" and in lieu thereof insert: "that may be"; line 16, strike ", and the" and in lieu thereof insert: "; and the . **The**" and in said line, insert "," after "withdrawn"; at the end of line 19, after "except" insert "**the procedure,**" ; lines 20 and 21, strike "where the procedure" and in lieu thereof insert "where the procedure ," ; strike all of line 23 and the word "and" at the beginning of line 24, and in lieu thereof, insert: "**C. S. Supp., 1941,** as amended by this act ; and"; in lines 24 and 27 strike the word "county" and in lieu thereof insert "counting"; line 28, insert "," after "proceed" and also after "law".

6. In the bill, Section 6, pages 4 and 5, insert "," at the end of line 3 after "canvass", line 14 after "certify", line 15 after "clerk", line 25 after "watchers", line 29 after "must", line 30 after "watchers", line 37 after "watcher"; strike the comma and in lieu thereof insert ";" in line 7 after "cover", line 42 after "months"; line 23, strike "and they" and in lieu thereof insert: "and they , **who**"; line 39, strike the comma after "**closed**"; strike the word "or" at the end of line 41, and in lieu thereof insert "or ,"; line 43, strike ", and any" and in lieu thereof insert: "; and any . **Any**" .

7. In the bill, Section 7, pages 5, 6 and 7, line 9, strike: "and the names" and in lieu thereof insert: "and the . **The** names **shall be**"; line 10, strike "hereinbefore" and in lieu thereof insert "hereinbefore"; line 11, strike "for in this act" and in lieu thereof insert: "for in this act **by law**"; line 13, strike the comma at the end of the line after "**Nebraska**" and in lieu thereof insert ";"; line 46, strike the word "for" and in lieu thereof insert: "for **containing**"; line 44, strike the comma after "**superintendent**"; insert the punctuation "," in line 4 after "official", line 44 after "**Legislature**", line 54 after "state", line 55 after "election" .

8. In the bill, Section 8, page 7, line 1, strike "32-407,"; line 3, after "32-406" insert: ", 32-407" .

9. In the bill, title, page 1, 2nd line, strike: "32-407,"; 4th line, after "32-406" insert ", 32-407"; 5th line, after the semicolon and before the word "to" insert: "to provide that where a member of the election board is a candidate for an office to be voted upon at the election, his or her membership on the election board shall be deemed vacant;" 16th line, strike "32-407,"; 18th line, after "32-406" insert ", 32-407" .

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 428
L. B. 423
L. B. 421
L. B. 368
L. B. 219

Legislative Resolutions 32, 33.

Member Excused

Mr. Thompson was excused for Monday.

Adjournment

At 5:00 p. m. on motion by Mr. Mueller, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, May 10, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Thomas and Mr. Thompson, who were excused.

The Journal for the Eighty-sixth Day was approved.

Communications

A copy of a Joint Resolution, from the Legislature of Wisconsin regarding interstate cooperation in studying the effects of federal activities in the fields of taxation and regulation, was read.

Petitions and Memorials

A petition, addressed to all members, was read opposing L. B. 153.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 277. Correctly enrolled.

Correctly engrossed

L. B. 337
L. B. 321
L. B. 38
L. B. 264
L. B. 22
L. B. 314
L. B. 334
L. B. 365
L. B. 387
L. B. 369
L. B. 385

LEGISLATIVE BILL 331. Replaced on Select File with amendments.

E and R amendments to L. B. 331:

1. In legislature amendment by Mr. Peterson of April 29, 1943, 7th line, after the words "**for in**" insert the word "**section**"; and in the same line, strike the word "**effect**" and insert the word "**affect**".

LEGISLATIVE BILL 129. Replaced on Select File with amendments.

E and R amendments to L. B. 129:

1. In the bill, Section 2, page 5, line 1, after "1941," at the end of said line, insert the following: "as amended by legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943,".

LEGISLATIVE BILL 327. Placed on Select File with amendments.

E and R amendments to L. B. 327:

1. In Standing Committee amendment No. 1, Section 1, line 6, after "government" insert ";"; in line 10 after "years" strike the comma and in lieu thereof insert ";"; line 13, strike ", and such" and in lieu thereof insert: "; and such’. **Such**"; line 14, strike "shall be" and in lieu thereof insert "shall be"; line 18, strike "as" and in lieu thereof insert ", as **is**", and in said line, insert "," after "for"; line 20, strike ", and" and in lieu thereof insert: "; and ,". Section 2, insert "," in line 3 after "death", line 4 after "duty", line 11 after "section"; line 10, strike "as" after "pension" and in lieu thereof insert: ", as **is**". Section 3, strike the comma and in lieu thereof insert ";" in line 4 after "city", line 25 after "cease"; line 7, before "as" insert ";"; lines 30 and 31, strike "shall this act in any manner affect" and in lieu thereof insert: "shall this act in any manner affect"; line 29, insert "," after "pension". Section 4, line 3, strike "**, or which**" and in lieu thereof insert "**or**", and in said line strike "," after "**adopt**"; line 4, insert "," after "government"; line 25, strike "**it or**" and in lieu thereof insert ","; insert "," in line 24 after "**or**", line 25, after "**it**" and before "**shall**". Section 5, line 2, strike "**, or which**" and in lieu thereof insert "**or**", and in said line, strike the comma after "**adopt**"; line 3, insert "," after "**government**"; line 13, strike "**or**" and in lieu thereof insert ","; line 17, strike the comma after "**paid**"; line 19, strike "**shall be**" and in lieu thereof insert "**is**"; line 25, strike "**as**" at the end of the line, and in lieu thereof insert: "**, as is**"; line 26, insert "," after "**for**"; line 27, strike "**, and in**" and in lieu thereof insert "**. In**"; line 38, strike the comma at the end of the line; line 56, insert "," after "**pension**" and also after "**section**"; at the end of line 58, after "**of**"

insert "the"; line 64, strike "as"; line 72, strike "," after "cease"; line 77, insert "," after "Act"; line 81, strike the comma after "retire"; line 95, after "both" insert "his" and after "or" strike "his"; line 96, insert "," before "and"; and in line 95 after "salary".

2. In Standing Committee amendment No. 2, insertion, 3rd line, insert a comma after "government" and before "as".

LEGISLATIVE BILL 50. Placed on Select File with amendments.

E and R amendments to L. B. 50:

1. In Legislature amendment No. 1, inserted matter, 6th line, strike the word "when" and in lieu thereof insert: "in which event".

2. In Legislature amendment No. 2, inserted matter, 4th line, strike: ", or is not conveyed" and in lieu thereof insert "or"; insert a comma at the end of the 4th line, after "surplus", in the 6th line after "partnership" and in the 16th line after "property" and also before "during".

3. In the bill, Section 2, page 2, line 9, after the period, insert: "Words denoting the masculine gender in this act also include similar words of the feminine gender."

4. Insert a comma, in the bill, in the following places: Section 3, at the end of line 1 after "fact"; line 2 after "act"; Section 4, line 8 after "act"; Section 7, page 3, line 3 before "persons"; Section 27, page 11, line 9 after "receive", line 10 after "contract".

5. Strike the comma, in the bill, in the following places: Section 3, page 2, line 3 after "thereof", line 11 after "person"; Section 27, page 11, line 3 after "partnership"; Section 30, page 12, line 2 after "terminated".

6. In the bill, title, page 1, 5th line, after the semicolon and before "to state" insert: "to define certain terms and what certain words and phrases include, as used in this act;" ; 10th line, after "partnerships" and before the semicolon, insert: ", including the conveyance of any real property of the partnership".

7. In the bill, Section 15, page 7, line 3, strike the period after "14" and in lieu thereof insert the word "and".

LEGISLATIVE BILL 96. Placed on Select File with amendments.

E and R amendments to L. B. 96:

1. Strike the comma at the end of Standing Committee amendment No. 10; in Standing Committee amendment No. 29, strike "Aud. Acct." and in lieu thereof insert "auditor account numbers"; in Standing Committee amendment No. 44, strike the word "hand" in quotation marks, and in lieu thereof insert "fund"; in Standing Committee amendment No. 45, strike "Aud. Acct." and in lieu thereof insert "auditor account number"; in Standing Committee amendment No. 62, insert a comma at the end of the insertion, after "Accounts"; amend Standing Committee amendment No. 67, by striking "Aud. Acct." and in lieu thereof inserting "Auditor Account"; in Standing Committee amendment No. 68, strike "Aud. Acct." and in lieu thereof insert "auditor account number".

2. In Legislature amendment by Mr. Greenamyre, amending Section 24, adopted April 14, last line of the inserted matter, strike "Legislature" and in lieu thereof insert: "State Legislature, 1943".

3. Strike Standing Committee amendment 1. to Section 34, adopted April 14, same being a duplicate of Standing Committee amendment No. 63, previously filed.

4. In General File amendment by Mr. Sorrell, adopted April 21, amending Section 39, line 4, strike the comma before "and" in the insertion.

5. In General File amendment by Mr. Crosby, adopted April 21, strike "30" after "Sec." and in lieu thereof insert "39", and strike "to be designated as "8a" and".

6. In General File amendment by Mr. Neubauer to Section 18, adopted April 21, after "49," insert "inclusive,".

7. Strike Standing Committee amendment No. 83, also amendment by Mr. Sorrell and also amendment by Messrs. Lee and Matzke, adopted April 26, and in lieu thereof, strike all of lines 4 to 7, inclusive, in Section 40 of the Standing Committee amendments, and in lieu thereof, insert the following: "provided that $13,000.00 shall be used exclusively for 4-H Club premiums in addition to the regular premiums of $5,000.00 each year to be paid from other funds 25,650.00".

8. In General File amendment by Mr. Peterson, to Section 40, adopted April 26th, 7th line, insert a comma after "made" and before "shall".

9. In General File amendment by Mr. Greenamyre, to Section 24, adopted April 27, 3rd line of the inserted matter, after "Account" insert

"number", and at the end of the inserted matter, strike the period and in lieu thereof insert a semicolon.

10. In Legislature amendment by Mr. Garber, to Section 18, adopted April 27, strike "$30,000" and in lieu thereof insert "$30,000.00".

11. In Standing Committee amendments, Section 1, lines 66 and 67, strike "of State Institutions"; line 69, strike "Normal School Board" and in lieu thereof insert "Board of Education of State Normal Schools"; line 75, before "Historical Society" insert "Nebraska State".

12. In Standing Committee amendments, Section 9, line 8, strike "Aud. Acct. No." and in lieu thereof insert "auditor account number".

13. In Standing Committee amendments, Section 15, line 37, strike "..." and in lieu thereof insert a comma.

14. In Standing Committee amendments, Section 18, strike the comma after "Eradication" in line 17, and in lieu thereof insert the word "of", also in lines 29, 56 and 65.

15. In Standing Committee amendments, Section 20, line 23, strike "Aud. Acct." and in lieu thereof insert "auditor account number".

16. In Standing Committee amendments, Section 21, lines 9 and 10, strike "Auditor Acct. No." and in lieu thereof insert "auditor account number", also in Section 22, lines 6 and 14, Section 23, lines 66 and 83.

17. In Standing Committee amendments, Section 23, line 88, after "1941," and before "or", insert: "as amended by the fifty-sixth session of the Nebraska State Legislature, 1943,".

18. In Standing Committee amendments, Section 24, line 8, strike "section" and in lieu thereof insert "sections"; lines 9 and 10, strike "Legislative Bill 60," and in lieu thereof insert the word "the"; line 11, strike "Legislature," and in lieu thereof insert "State Legislature, 1943,"; strike all of lines 14 and 15 except "appropriate", and in lieu thereof insert: "amended by the fifty-sixth session of the Nebraska State Legislature, 1943, or as hereafter amended,"; strike lines 24 and 25, and in lieu thereof insert: "legislative bill 232, fifty-sixth session of the Nebraska State Legislature, 1943,"; strike lines 34 and 35, and in lieu thereof insert: "amended by legislative bill 428, fifty-sixth session of the Nebraska State Legislature, 1943,"; line 45, strike "Aud. Acct. Nos." and in lieu thereof insert: "auditor account numbers".

19. In Standing Committee amendments, Section 26, line 5, strike "Auditor Account" and in lieu thereof insert "auditor account number";

line 19, strike "Auditor Accounts" and in lieu thereof insert "auditor account numbers".

20. In Standing Committee amendments, Section 32, strike all of lines 5 and 6 and in lieu thereof insert: "sections 81-7501 to 81-7506, inclusive, C. S. Supp., 1941 28,800.00".

21. In Standing Committee amendments, Section 34, lines 27 and 28, strike "Auditor Account" and in lieu thereof insert "auditor account number", also in Section 36, line 20.

22. In Standing Committee amendments, Section 37, line 1, strike "NORMAL SCHOOL BOARD" and in lieu thereof insert: "BOARD OF EDUCATION OF STATE NORMAL SCHOOLS".

23. In Standing Committee amendments, mimeographed copy, page 25, Sec. 30, strike the figures "30" after "Sec." and in lieu thereof insert "39".

24. In Standing Committee amendments, Section 42, line 1, before "HISTORICAL SOCIETY" insert "NEBRASKA STATE".

25. In Standing Committee amendments, Section 45, at the end of line 8, after "sections" insert "83-115,"; strike all of lines 10 and 11, and all of line 12 except the words "as revolving".

26. In the Standing Committee amendments, Section 49, strike the semicolon at the end of line 8 after "Governor"; line 9, strike the comma after "Commissioner".

27. In Messrs. Peterson and Reavis amendment to section 20, line 9, strike the dollar sign, in both places; also in Standing Committee amendment No. 7 to section 10, line 26, before "41,920.00", in Mr. Crosby's amendment to section 39, after line 8, before "500.00"; in Mr. Tvrdik's amendment to section 34, in both places.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 277.

SELECT FILE

LEGISLATIVE BILL 79. Mr. James H. Anderson offered the following amendments, which were adopted by unanimous consent:

1. Amend page 2 of the bill, section 1, by striking all of lines 1 to 6, inclusive, as amended, and substituting the following in lieu thereof: "All fees received for taking acknowledgments by any county officer, or any deputy or employee in his office, whether received for taking acknowledgments in an official capacity as a county officer or while acting in the capacity of a notary public,".

2. Amend the title to the bill, by striking lines 3 to 10, inclusive, and substituting the following in lieu thereof: "employees; to provide that all fees received by any county officer, or any deputy or employee in his office, for taking acknowledgments must be reported to the county board and paid in to the county treasury; to provide penalties; and".

Referred to E and R for engrossment.

LEGISLATIVE BILL 101. E and R amendments, found in the Legislative Journal for the Eighty-fourth Day, were adopted.

Mr. James H. Anderson offered the following amendments, which were adopted by unanimous consent:

1. Amend the bill by striking Sections 2 and 3, and amendments thereto.

2. Amend Section 6, Subdivision 7, line 93 thereof, by striking the figures "1944" and inserting in lieu thereof the figures "1946".

3. Amend Section 6, Subdivision 8, line 118, by striking the figures "1944" and inserting in lieu thereof the figures "1946".

4. Amend the bill, Section 6, by striking Subdivision 6 thereof.

5. Amend Section 6, Subdivision 7, by inserting after the word "convention" and punctuation "." in line 112, the following: "If, at such convention, the names of more than two candidates are submitted for any office, successive ballots shall be taken and the candidates receiving the least number of votes on each ballot shall be eliminated from further consideration until two candidates remain when the final ballot shall be taken."

6. Amend the Peterson Amendment to L. B. 101, as shown on page 1135 of the Journal by inserting after the word "year" and the punctuation "," in the first line, the following: "beginning with the year "1944,".

7. Amend Section 8, line 1, by striking out the following figures: "32-1110" and "32-1111".

8. Amend the title, line 1, by striking the figures "32-1110" and "32-1111"; amend the title, line 14, by striking the figures "32-1110" and "32-1111".

9. Amend the bill by renumbering the sections and subsections to conform to the amendments.

Referred to E and R for engrossment.

LEGISLATIVE BILL 195. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Craven offered the following amendments, which were adopted by unanimous consent:

Amend section 1, page 2, line 19 of the bill by striking the word "whenever" and inserting in lieu thereof the following words and punctuation: "any time after January 1, 1946, when".

Referred to E and R for engrossment.

LEGISLATIVE BILL 400. E and R amendments, found in the Legislative Journal for the Eighty-fifth Day, were adopted.

Mr. Crosby offered the following amendments, which were adopted by unanimous consent:

Amend the bill as amended by unanimous consent, by inserting a new section after Sec. 6, as follows:

"Section 7. If all of the officers and directors, and stockholders if any, of a non-profit corporation organized prior to the effective date of this act, are serving in the armed forces of the United States, such corporation shall not be required to appoint a resident agent, if it would otherwise be required to do so by this Act or by the "General Corporation Law of the State of Nebraska, until one year after 'cessation of hostilities' as defined in Legislative Bill 67, Fifty-sixth session, Legislature of Nebraska".

Renumber Section 7 as "Section 8".

Amend the title accordingly.

Referred to E and R for engrossment.

LEGISLATIVE BILL 293. Mr. Asimus offered an amendment and asked that it be adopted by unanimous consent.

Mr. Sorrell objected.

Mr. Asimus moved to refer the bill to General File for specific amendment.

The motion was lost with 5 ayes, 8 nays, 30 not voting.

Referred to E and R for engrossment.

LEGISLATIVE BILL 332. Laid over.

LEGISLATIVE BILL 339. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 413. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Referred to E and R for engrossment.

Message from the Governor

L. B. 166

May 10, 1943.

To the President, the Speaker, and Members
of the Legislature.

Gentlemen:

I believe that L. B. 166 is about to come up for final passage by your Honorable Body. Before this is done I desire to call your attention to one provision of this bill which I believe makes it unworkable. The provision I refer to is the one which states that the salary of the secretary shall not exceed three hundred dollars per month.

In my judgment it will be impossible to find a person qualified for this particular job who will accept it with this salary provision. The success or failure of the program planned depends entirely upon the ability of the person chosen as secretary, who will really direct the affairs of the committee, representing Nebraska in Washington and before the industrial leaders of the nation. The spending of one hundred thousand dollars under the provisions of this bill will not automatically accomplish the purpose intended, and I feel that the Board which might be named under its provisions should have the right to pay whatever salary is deemed necessary to get the job done.

This bill really creates a State Chamber of Commerce, and it should be known that one local Chamber of Commerce in Nebraska has been paying sixty-five hundred dollars per year to its secretary while another has been paying eighty-four hundred dollars. This gives some idea of the problem involved, and I believe it proper and fitting that I should call it to your attention.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

Picture—Group

Announcement was made that a photographer from the University Studio will be in the West Lounge on Wednesday and Thursday to take pictures of the members for a group picture.

GENERAL FILE

Special Order

LEGISLATIVE BILL 248. Mr. Mischke offered the following amendment:

Amend Page 5, Section 1, paragraph (8) Line 124 of the printed bill by striking therefrom the word "elected" and inserting in lieu thereof the words "appointed by the Governor, to be approved by the Legislature."

Mr. Mischke moved a call of the House.

A call of the House was ordered.

Thirty-nine members were present.

Mr. Craven moved to raise the call.

The motion prevailed with 23 ayes, 5 nays, 15 not voting.

Record vote was requested on the Mischke amendment.

Voting in the affirmative, 17:

Anderson, James H.
Brodahl
Cullingham
Foster
Greenamyre
Gutoski
Hanna
Heiliger
Klaver
Lee
Matzke
Mekota
Mischke
Raecke
Rakow
Reavis
Tvrdik

Voting in the negative, 20:

Anderson, D. S.
Asimus
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Gantz
Garber
Jeffords
Jeppesen
Mueller
Neubauer
Osborne
Peterson
Sorrell
Weborg

Not voting, 6:

Bowman
Hubka
Norman
Ogden
Thomas
Thompson

The amendment was not adopted.

Approved by the Governor

May 10, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 428
L. B. 423
L. B. 421
L. B. 219

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

MESSAGE FROM THE GOVERNOR

Veto L. B. 417

May 10, 1943.

To the President, the Speaker, and Members of the Legislature.
Gentlemen:

I am returning without my approval, Legislative Bill 417. This bill provides for the establishment of wards for spastic persons of good mentality at the Institution for Feeble Minded at Beatrice.

My decision to veto this bill has been reached after careful consideration and it causes me sincere regret, for I am mindful of its worthy purposes. There is undoubtedly need for a place where spastic children can be cared for and properly trained, but there is serious doubt in my mind as to whether the Institution for Feeble Minded is the proper place to send children of sound mind. It is hardly practical, from the standpoint of the operation of that institution, to receive children of sound mind and to attempt to provide for them amongst those who are feeble-minded.

Of all unfortunates, those for whom this bill intends to provide are among the most difficult and the most expensive to care for and to train. Any attempt to provide for them should be based upon a complete knowledge of the number and needs of this class of people. A survey to secure such information would take some time, but the delay seems justified for it might reveal a much more satisfactory and more economical method of providing for them than the method anticipated by this legislation.

Economy is not the most important question involved in this matter, for neither the method of training, the schools, nor the medical program at the Institution for Feeble Minded is fitted to the needs of children with sound mentality. It appears impossible to adjust any of these things to the new facilities provided for by this bill. Consequently, if the purposes of this legislation were to be accomplished, the institution would be required to employ a medical man specialized along these lines, and also specially qualified teachers and attendants to care for, teach and train these spastic people. It is extremely difficult for the institution at Beatrice to secure help to carry on its present program, and it would seem almost impossible to expand its program and activities to cover this new class of patients. It appears doubtful if any qualified physician or teachers could be employed at the present time.

The problem of providing space for wards for both sexes and for housing the additional employees at the institution, seems too great to be solved at this time when new buildings are out of the question until after the war. The payment of higher salaries for doctors, teachers and attendants who would need to be especially qualified to care for this class of people, might easily cause dissension among the other employees of the institution.

This bill provides for the payment of the expense involved by the counties from which the children come, such expense to be pro-rated according to the number of children admitted. This cost might be enormous and even prohibitive if only a few children were to be cared for and no one knows how many there will be. This uncertainty, with the resulting uncertainty as to the cost would cause a condition so unsatisfactory that the counties might hesitate or refuse to send anyone to the institution.

Placing children of sound mind in the Institution for Feeble Minded, where they would be surrounded by feeble minded children and where the institution is administered by those who are trained for the care of feeble minded children, does not seem to be a logical solution. It could hardly be pleasing to the parents of spastic children, and most important of all, it would be unfair to the children of normal minds to place them in such surroundings. It would seem to me that this condition in itself would tend to defeat the main purpose which the bill seeks to accomplish.

I do not know the best answer to the apparent need which you have recognized and for which you have, with credit, attempted to provide. Possibly additional space at the Orthopedic Hospital would be the solution, if and when such space could be provided. Possibly out-state institutions could be utilized in some manner and the counties authorized to pay the charges, or perhaps each county could make adequate provisions at home at no greater cost by employing domestic help for the family or families involved or by providing boarding-home care for the unfortunate person. The survey I have suggested should provide the facts upon which a proper solution could be based.

The difficulties of administration, the uncertainty of cost, the doubtful benefits to be gained, the unpleasant thought of sending sound minds to the Institution for Feeble Minded, the probability that a better plan might be discovered after a survey and the fact that it is now extremely difficult to operate existing facilities for the unfortunate of the state—

all these things combined lead me to the conclusion that this bill should not have my approval.

Respectfully submitted,
(Signed) Dwight Griswold
Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to Governor for Approval

Monday, May 10, 1943, at 9:30 a.m.

L. B. 219	L. B. 421	L. B. 423
L. B. 368		L. B. 428

Correctly Engrossed

L. B. 297	L. B. 396

(Signed) James H. Anderson, Chairman

Recess

At 11:55 a.m. on motion by Mr. Mueller the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m. Speaker Crosby presiding.

The roll was called and all members were present except Mr. Hubka and Mr. Sorrell, and except Mr. Thomas and Mr. Thompson who were excused.

GENERAL FILE

LEGISLATIVE BILL 248. Mr. Greenamyre offered the following amendments:

1. Amend page 8 of the bill, section 2, by striking all of lines 74 to 93, inclusive, and substituting the following in lieu thereof:

"days after the effective date of this act, additional directors, no two of whom may be from the same district, as hereinafter defined, sufficient to bring the number up to seven; (c) Where prior to the amendment of the petition for creation of the district, the board of directors consisted of seven members, or when the number has been reduced or increased to seven as hereinbefore provided, as the terms of members of the board of directors expire, or when any vacancy occurs in the membership of the board, their successors shall be nominated, elected and take office, subject to the provisions of this act, in the same manner, as nearly as may be, as by law provided for the nomination and election of judges of the Supreme Court. For the purpose of election of directors, the state shall be divided into seven districts as follows: District No. 1 shall comprise the counties of Dawes, Sheridan, Box Butte, Morrill, Scotts Bluff, Cheyenne, Kimball, Banner, Deuel, Keith, Perkins, Garden, Cherry, Sioux, Grant, Hooker, Arthur and McPherson; District No. 2 shall comprise the counties of Brown, Rock, Boyd, Holt, Knox, Pierce, Cedar, Dixon, Dakota, Thurston, Wayne, Madison, Stanton, Cuming, Burt, Keya Paha and Antelope; District No. 3 shall comprise the counties of Wheeler, Platte, Nance, Merrick, Boone, Greeley, Valley, Sherman, Howard, Garfield, Polk, Butler and Colfax, and areas, if any, within a Metropolitan area as defined by legislative bill 204, fifty-sixth session of the Nebraska State Legislature, 1943, as shall be receiving electric service from such district; District No. 4 shall comprise the counties of Thomas, Blaine, Loup, Custer, Dawson, Buffalo, Gosper, Furnas, Harlan, Franklin, Kearney, Phelps, Logan, Lincoln, Chase, Hayes, Frontier, Dundy, Hitchcock and Red Willow; District No. 5 shall comprise the counties of Hall, Hamilton, York, Adams, Clay, Fillmore, Webster, Nuckolls and Thayer; District No. 6 shall comprise the counties of Seward, Saline, Jefferson, Gage, Pawnee, Richardson, Johnson, Nemaha, Cass and Otoe; District No. 7 shall comprise the county of Lancaster. Each of the election districts above set forth in which the power district operates shall be entitled to have one member serve on the board of directors, and until all such election districts are represented on the board of directors, one member from each of such districts shall be elected as the terms of members expire or a vacancy occurs, in the case of an expiration of a term at the first general state election held before such expiration, and in the case of a vacancy at the first general state election held after such vacancy occurs. In case there are two or more election districts not represented on the board of directors at the time a vacancy occurs or the term of office expires, the election district not represented on the board that has the lowest number shall elect a director. After all election districts have attained membership on the board of directors, their successors shall be nominated and elected from the same district. Where the territory corresponding to one of the election districts above defined does not have within its boundaries a municipality that is a part of such power district for the purpose of voting for directors, as provided by section 70-701, C. S. Supp., 1941, a member of the board of directors of such power district shall not be elected from such ter-

ritory, but instead shall be elected at large. The terms of each member of the board thus elected, except to fill a vacancy, shall be six years and until his successor is elected and qualified."

Laid over. Retains place on File.

LEGISLATIVE BILL 405. Mr. Mueller moved to postpone indefinitely.

Mr. Conklin asked that unanimous consent be granted to pass over the bill.

No objection offered. So ordered.

LEGISLATIVE BILL 283. Placed at foot of Special File.

LEGISLATIVE BILL 408. Mr. Mischke asked that unanimous consent be granted to pass over L. B. 408 and L. B. 405 one day.

No objection was offered. So ordered.

LEGISLATIVE BILL 440. Unanimous consent was granted to add Mr. Heiliger's name to Mr. Craven's amendment, offered on the Eighty-fourth Day.

Vote was taken on Mr. Craven's amendment, last above mentioned, which was adopted with 15 ayes, 10 nays, 18 not voting.

Mr. Cullingham offered the following amendment, which was adopted with 18 ayes, 8 nays, 17 not voting:

Amend page 5, item (or line) 43 by changing the amount to be allowed for the claim from $1,125.00 to $1,752.60.

Mr. Peterson offered the following amendment, which was adopted:

Amend page 3 of the bill, section I, by inserting after line 22 of the bill the following:

22a	Otto H. Johannes Lincoln, Nebr.	Damage to car and personal injuries, caused by state highway maintainer	Highway Cash Fund Auditor Acct. 189	$140.00

Laid over.

LEGISLATIVE BILL 71. Mr. Garber offered the following amendments, which were adopted with 15 ayes, 7 nays, 21 not voting:

Amend Sec. 1, line 36, and Sec. 2, line 27, by striking "70-604" and inserting in lieu thereof "18-1601".

Referred to E and R for review with 15 ayes, 7 nays, 21 not voting.

LEGISLATIVE BILL 72. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Thirty-third Day, was adopted.

Mr. Craven requested that the Committee on Enrollment and Review be instructed to amend the title to conform to the amendments adopted.

So ordered.

Mr. Doyle offered the following amendment:

Sec. 1, line 14, strike the words "four months" and insert "three weeks".

Laid over.

Mr. Klaver Presiding

LEGISLATIVE BILL 420. Mr. Peterson asked that unanimous consent be granted to waive reading the entire bill.

No objection was offered. So ordered.

Standing Committee amendments, except amendment No. 14, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Mr. Mekota asked that unanimous consent be granted to amend his motion, offered on the Eighty-sixth Day, by adding the word "striking" following "L. B. 420".

No objection was offered. So ordered.

Speaker Crosby Presiding

Mr. Mekota moved that the Mekota amendment to L. B. 420 be amended by adding after the words "county judge" the words "and other county officials to be elected at the next general election".

The motion prevailed with 19 ayes, 9 nays, 15 not voting.

Mr. Klaver offered the following amendment, which was adopted:

Amend L. B. 420, Sec. 9, class 8, line 11, applying to cities over 150,000. County judges' present salary $4,500.00 to $5,000.00.

Mr. Klaver offered the following amendment, which was adopted with 10 ayes, 8 nays, 25 not voting:

Amend L. B. 420, Sec. 9, line 11, Class 8, applying to cities over 150,000. Clerk of County Court, present salary $3,000 to $3,500.

Messrs. Tvrdik, Norman and Klaver offered the following amendment, which was adopted:

1. Amend page 7 of the bill, section 9, line 6, by striking the word "**seventeen**" and inserting in lieu thereof the word: "**eighteen**".

MOTION—Evening Session

Mr. President: I move that we recess at 5:30 this evening until 8:00 p.m. and then take up non-controversial bills.

(Signed) Foster

The motion prevailed with 21 ayes, 5 nays, 17 not voting.

GENERAL FILE (Continued)

LEGISLATIVE BILL 420. Mr. Ogden offered the following amendment which was adopted:

Amend lines 36 and 37, Sec. 9, by striking after "of" the words "twenty-eight hundred" and inserting "three thousand".

Mr. Doyle offered the following amendment, which was adopted:

1. Amend page 8 of the bill, section 11, line 2, by inserting after the word "**assistants**" the following: "**, except a sheriff or his deputy,**".

Mr. Burnham offered an amendment which was lost with 3 ayes, 15 nays, 25 not voting.

Mr. Crossland offered the following amendment:

Amend Standing Committee amendment No. 14, to Sec. 4, line 10, page 4, by striking the words "two thousand" and in lieu thereof insert the words "two thousand one hundred and fifty".

Laid over.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 145. Placed on Select File with amendments.

E and R amendments to L. B. 145:

1. Strike all amendments to the bill except the Legislature amendments of Mr. Garber appearing in the Journal of May 3, 1943.

2. In Legislature amendment No. 2 by Mr. Garber, strike all of the newly-inserted matter in quotation marks in the first line thereof up to and including the word "Sections." and in lieu thereof insert "Sec. 2. That sections"; and in the 2nd line thereof strike the word "hereby".

LEGISLATIVE BILL 328. Replaced on Select File with amendments.

E and R amendments to L. B. 328:

1. In the bill, Section 1, page 2, line 9, strike: "he resides, no . **No**" and in lieu thereof insert: "he **or she** resides , no . **No**"; page 3, line 45, insert "," before "**such**"; line 52, strike the period after "**Notary**" and insert a period after the quotation mark.

(Signed) James H. Anderson, Chairman

Recess

At 5:30 p.m. on motion by Mr. Mischke, the Legislature recessed until 8:00 p.m.

After Recess

The Legislature reconvened at 8:00 p.m., President Johnson presiding.

The roll was called and all members were present except Messrs. James H. Anderson, Gutoski, Hubka, Mekota, Mischke and Sorrell, and except Messrs. Raecke, Thomas and Thompson, who were excused.

GENERAL FILE

LEGISLATIVE BILL 427. Passed over.

LEGISLATIVE BILL 335. Read and considered.

Standing Committee report and amendment, found in the Legislative Journal for the Fifty-second Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 372. Mr. Greenamyre asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fiftieth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 205. Mr. Peterson asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-first Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 390. Read and considered.

Mr. Rakow moved to postpone indefinitely.

Mr. Foster moved to place at the foot of Special File.

The motion prevailed.

LEGISLATIVE BILL 431. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 424. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Sixty-sixth Day, were adopted.

Mr. Foster asked that unanimous consent be granted to add the name of Sidney J. Cullingham as a co-introducer.

No objection was offered. So ordered.

Mr. Cullingham moved to refer the bill to E and R for review.

Mr. Peterson offered the following amendment, which was adopted:

Amend Section 1 by inserting after the word "home" in line 8 the following: "but shall not include casual care at irregular intervals".

Mr. Crosby offered the following amendments, which were adopted:

Amend Sec. 2, line 2 by striking the word "one" and substituting the word "three" therefor.

Amend by adding a new section as follows: "Sec. 7. This act shall remain in force until March 1, 1945, when it shall expire by its own limitations."

Mr. Cullingham renewed his motion to refer to E and R for review.

The motion prevailed.

LEGISLATIVE BILL 229. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Seventieth Day, were adopted.

Mr. Heiliger moved to refer to E and R for review.

Mr. Doyle moved to postpone indefinitely.

Adjournment

At 10:37 p. m. on motion by Mr. Matzke, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 11, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by Lt. Col. John C. Habkirk of Chicago.

The roll was called and all members were present except Mr. Thomas, who was excused.

The Journal for the Eighty-seventh Day was approved as corrected.

Invitation

A letter from the State Department of Health and the Lincoln Chamber of Commerce was read, extending an invitation to the members of the Legislature and their wives, to attend a dinner, May 17, at the Cornhusker Hotel at 6:00 p. m. in honor of Sir Robert Hughes Parry, Medical officer, of Bristol, England.

NOTICE OF COMMITTEE HEARING

Highway Investigation

Mr. President: The Committee appointed by the Legislature to investigate the highway conditions in the state hereby report it will hold a public hearing thereon tonight, May 11, at 8 p.m. in the east Senate chamber.

(Signed) Gantz, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 34. Electric Power Investigation Committee, 1943.

Introduced by George I. Craven, Sam Klaver, Sidney J. Cullingham, James H. Anderson, Tom C. Osborne, Arthur Carmody, Harry A. Foster, E. M. Neubauer, J E Conklin, Daniel Garber, Carl P. Jeffords, George C. Weborg, Louis M. Jeppesen, Tony Asimus.

WHEREAS, in the year 1933 the Legislature, by Senate File No. 310, now sections 70-701 to 70-717, inclusive, C. S. Supp., 1941, provided for the organization of public power and public power and irrigation districts in this state; and

WHEREAS, at the time of the enactment of Senate File No. 310 above mentioned, it was contemplated by the Legislature that the districts formed under the provisions of said act would be organized and operated for the purpose of producing and supplying electrical energy for a relatively small part of the state, either within the districts or in the immediate vicinity thereof, and it was not contemplated that one district would own the distribution systems and other districts the generating facilities; and

WHEREAS, it was originally contemplated by Senate File No. 310 that the public power districts and public power and irrigation districts organized and operated under the act, should act as a yardstick and compete with the private power companies in the state in the production and sale of electrical energy; and

WHEREAS, using the form of organization afforded by Senate File No. 310 as a vehicle, the original scope and purpose contemplated by the Legislature was tremendously enlarged and materially altered, and certain financial interests have acquired and now own, control and operate the major part of the electric distribution systems in the state, and the generating facilities are largely controlled and operated by a contractual combination among the districts, known as a power pool; and

WHEREAS, certain financial interests have used the form of organization provided by Senate File No. 310 to acquire and consolidate into one gigantic system the electric facilities of all of the large private power companies in the state except one, and have entered into negotiations for the purchase of that one; and

WHEREAS, many of such purchases were made from private power companies at a price far in excess of actual valuation of the property purchased, and the cost thereof must be borne by the electric rate payer in Nebraska; and

WHEREAS, the enlargement of the scope of the original purpose of Senate File No. 310 has created new and additional problems, which require legislative action; and

WHEREAS, financial interests promoting public power districts and public power and irrigation districts and legislation affecting such districts, and privately owned public utilities selling electrical energy that desire to sell their electric properties to public power districts at a price far in excess of its value, have engaged extensively in lobbying activities at the Nebraska Legislature, and elsewhere, and said lobbying activities should be thoroughly investigated at the same time and for the same purpose as the other matters herein set forth, and as an integral part thereof; and

WHEREAS, it is expedient as a basis for legislation that the activities of public power districts, public power and irrigation districts, private power companies, and financial interests promoting said districts and companies, should be investigated as fully and promptly as may be, in order that the public policy of the state may be determined with reference thereto, and necessary legislation enacted;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That the Speaker of the Legislature forthwith appoint a committee of five members from the body of this Legislature, which committee shall be known and designated as the "Electric Power Investigation Committee, 1943". The committee herein created shall serve until the next regular session of the Legislature, and shall proceed after the adjournment of this session of the Legislature, to investigate and examine into the following matters: (1) The business and affairs of public power districts, public power and irrigation districts, and any other public body and commission created for the purpose of the generation, distribution and sale of electrical energy in this state; (2) The purchase by public power districts and public power and irrigation districts of electric power plants, distribution systems and transmission lines from private power companies in this state; (3) The financing of such purchases by public power districts and public power and irrigation districts within this state; (4) The issuance of general revenue bonds and general obligation bonds by public power districts, public power and irrigation districts, or other political subdivisions of this state in connection with such purchases; (5) The fees and expenses paid to attorneys, agents, fiscal agents and intermediaries in connection with the purchase, financing and issuance of

bonds to acquire electric power plants, distribution systems and transmission lines in this state, and the money or profit made in consummating said purchases and in handling such bonds; (6) The political activities of public power districts, public power and irrigation districts and privately owned public utilities selling electrical energy, their officers, agents and servants, and the fees and expenses paid in connection therewith; (7) The business and affairs of the Nebraska Public Power System, sometimes referred to as the Nebraska Public Power Pool, and the making of agreements for division of territory in this state, and the exchange and interchange of electric current and facilities brought about by such public power pool; and (8) All other matters necessary to afford the Legislature a clear perspective and view of the entire electrical power situation in this state as the basis for enactment of necessary legislation. The commission herein created shall recommend to the next regular session of the Legislature a definite policy and concrete legislative program, respecting the regulation of public bodies selling and distributing electrical energy in this state, and the lobbying activities of such bodies and others in connection therewith.

2. In carrying on the investigation herein authorized, the committee shall be entitled to call upon and have the assistance of the offices of the Attorney General, the Auditor of Public Accounts, the State Engineer, and any other public official paid out of state funds.

3. That the committee is authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, to administer oaths, and to employ counsel, stenographers, clerks and such other members as may be necessary for the purpose of investigation; that the committee shall have full power and authority, and it shall be its duty to prosecute its inquiries in any and every direction and by any and every means in its judgment necessary or proper to enable it to obtain information in regard to its report on matters contemplated in this resolution; that, whenever, in its judgment, the public interest demands, the committee may require any public officer, deputy, assistant or any public employee paid, directly or indirectly, by means of public funds, or any individual, to testify before them and to produce books, papers or other documents in obedience to the subpoena of said committee.

4. That a sum not exceeding twenty-five thousand dollars ($25,000) shall be appropriated by the Legislature out of any moneys in the general fund, not otherwise appropriated, to carry out the provisions of this resolution, said appropriation to be provided for it in the general appropriation bill enacted by this session of the Legislature.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 166. With emergency clause.

A bill for an act to create and establish the Nebraska Council for Development of Agricultural Industry; to provide for the qualification, appointment and terms of the members thereof; to authorize the employment of a director, assistants and employees; to limit the salary of the director and other employees of the council; to specify certain duties of the director; to prescribe the powers and duties of the council; to provide for office space for the council in the State Capitol; to provide that the members thereof are to serve without compensation but are to be paid their necessary expenses in performing their duties; to provide an appropriation; to state a saving clause; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Mr. Peterson moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Mr. Peterson moved to raise the call.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Voting in the affirmative, 29:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crossland
Crosby
Cullingham
Dooley
Foster
Gantz
Greenamyre
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mueller
Neubauer
Norman
Ogden
Peterson
Thompson
Tvrdik
Weborg

Voting in the negative, 12:

Doyle
Garber
Gutoski
Hanna
Jeffords
Mekota
Mischke
Osborne
Raecke
Rakow
Reavis
Sorrell

Not voting, 2:

Burnham
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 191. With emergency clause.

A bill for an act relating to the powers of counties; to provide that county boards may, in their discretion, appropriate from and pay out of the general fund of the county, such amount as the county board may determine, to aid and enable county civilian defense committees, designated in this act, to carry out and execute the civilian defense program and in the promotion, protection and preservation of the public health and safety within such county; to provide a termination date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Lee
Reavis
Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 197. With emergency clause.

A bill for an act to amend section 48-702 (a) and (c), C. S. Supp., 1941, relating to labor and to the Placement and Unemployment Insurance Law; to amend the definition of base period and benefit year as used in the Placement and Unemployment Insurance Law; to extend the benefit rights of individuals in military service; to repeal all acts in conflict therewith; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Conklin
Dooley
Hanna
Rakow
Reavis
Thomas
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 223.

A bill for an act relating to decedents' estates; to provide procedure for the examination of persons outside of the county where the estate of a deceased person is being administered with respect to money, goods or chattels of the deceased and with respect to deeds, conveyances, bonds, contracts or other writings, which tend to disclose the right, title, interest or claim of the deceased to any real or personal property, any claim or demand or any last will and testament of the deceased; and to provide the effect of failure to appear for or to answer interrogatories upon such examination.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Conklin
Garber
Reavis
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 225. Laid over.

LEGISLATIVE BILL 239.

A bill for an act relating to banks and banking; providing that revocations, countermands and stop orders relating to the payment of any check or draft against an account of a depositor in any bank in this state shall be by a written notice, before the presentation of such check or draft for payment, certification or acceptance, to the bank upon which drawn; prescribing the contents of such notice; providing for renewal of such a notice; and fixing the time during which such notices and renewals thereof shall be effective.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Asimus
Jeppesen
Sorrell
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 246.

A bill for an act to amend section 89-170, C. S. Supp., 1941, relating to bread weights; to provide for a loaf of one and one fourth pounds; to provide for displaying the weight of such loaf on the wrapper thereof; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Osborne
Raecke
Rakow
Thompson
Tvrdik
Weborg

Voting in the negative, 6:

Asimus
Carmody
Crossland
Garber
Neubauer
Peterson

Not voting, 7:

Crosby
Jeppesen
Klaver
Mekota
Reavis
Sorrell
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 249.

A bill for an act to amend section 77-1613, Compiled Statutes of Nebraska, 1929, relating to taxation and revenue; to provide that errors on the tax list as to the description or quantity of any interest in school lands, held under lease or contract of purchase, shall be corrected by the county clerk; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 3:

Peterson
Thomas
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 269.

A bill for an act to authorize the Department of Roads and Irrigation, with the approval of the Governor and upon such terms as he shall prescribe, to transfer to any other department, institution or agency of the state any materials salvaged and recovered from and through the construction, reconstruction or repair of a state highway if such salvaged materials are not presently needed by said department to carry on its work.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Osborne
Rakow
Thomas
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 351.

A bill for an act to amend section 89-112, C. S. Supp., 1941, relating to weights and measures; to prescribe the net weight and size of barrels, sacks, containers, packages or divisible merchantable quantities of flour permitted to be sold in Nebraska; to except flour prepared for special purposes from this act; and to repeal the original section.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Doyle.

Not voting, 3:

Brodahl
Rakow
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 407.

A bill for an act to amend sections 79-1610 and 79-1611, Compiled Statutes of Nebraska, 1929, relating to the deputy superintendent of public instruction; to require the appointment of a deputy superintendent of public instruction; to provide for an increase in the salary of said deputy; and to repeal the original sections.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Anderson, D. S.
Anderson, James H.
Bowman
Conklin
Crosby
Crossland
Cullingham
Foster
Gantz
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik

Voting in the negative, 10:

Asimus
Burnham
Carmody
Doyle
Garber
Gutoski
Lee
Mueller
Neubauer
Osborne

Not voting, 7:

Brodahl
Craven
Dooley
Greenamyre
Mekota
Thomas
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 429. With emergency clause.

A bill for an act to amend section 3-215, C. S. Supp., 1941, relating to aircraft; to provide for the imposition of a tax of five cents per gallon upon fuels purchased for and used in aircraft in the State of Nebraska; to provide that twenty per cent thereof, after making certain deductions, shall inure to the state assistance fund; to provide for the distribution of such tax; to repeal the original section; and to declare an emergency.

Whereupon the president stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 1:

Thomas

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Reconsider Action

Mr. Mueller moved that the Legislature reconsider its action of February 8, 1943, on L. B. 173 and place the same on Special File.

Mr. Mueller moved a call of the House.

A call of the House was ordered.

Thirty-eight members were present.

Mr. Weborg moved to raise the call.

The motion prevailed with 26 ayes, no nays, 17 not voting.

The Mueller motion to reconsider prevailed with 22 ayes, 10 nays, 11 not voting.

REQUEST—To Refer to Select File

Mr. Peterson asked that L. B. 195 be returned to Select File for the following specific amendment:

1. Amend Standing Committee amendment 2 found on page 652 of the Journal for March 16, 1943, by striking the first sentence of the new matter set out in the amendment of section 31-605, Compiled Statutes of Nebraska, 1929, and substituting the following in lieu thereof:

"Where such sanitary district does not contain a city of fifty thousand or more inhabitants there shall be three trustees and where such sanitary district contains a city of fifty thousand or more inhabitants there shall be five trustees."

No objection was offered. So ordered.

REQUEST—To Refer to Select File

Mr. Gantz asked that unanimous consent be granted to return L. B. 160 to Select File for the following specific amendment:

Add a new section as follows: "Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law".

Amend the title by striking punctuation period after the word "Section" in line 8 of title and inserting punctuation and words: "; and to declare an emergency."

No objection was offered. So ordered.

REQUEST—For Unanimous Consent

LEGISLATIVE BILL 139. Mr. Norman asked that unanimous consent be granted to return L. B. 139 to Select File for specific amendment.

Objection was raised by Mr. Matzke.

Mr. Norman moved that the bill be returned to General File for specific amendment.

The motion was lost with 11 ayes, 13 nays, 19 not voting.

SELECT FILE

LEGISLATIVE BILL 332. Laid over.

LEGISLATIVE BILL 331. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 129. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 327. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 50. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 145. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Mr. Gantz moved to return the bill to General File for the following specific amendment:

1. Strike the Mekota amendment adopted on May 4, 1943, and which amendment is found in the Journal for the eighty-third day on page 1237.

2. Amend the Standing Committee amendments, section 1, line 4, as amended by the Craven amendment, by striking the word "and" after the figures and letter "43(o)(4)" and inserting the figures, punctuation and letters: "and 72(b)(2),".

3. Amend the Standing Committee amendment 3, as amended, line 4 of the amendment and line 2 of the substitute title by striking the word "and" after the figures and letter "43(o)(4)" and inserting the following figures, punctuation, and letter: "and 72(b)(2),".

Recess

At 12:00 m. on motion by Mr. Lee, the Legislature recessed until 1:30 p.m.

After Recess

The Legislature reconvened at 1:30 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Thomas, who was excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 247. Correctly engrossed.

LEGISLATIVE BILL 155. Replaced on Select File with amendments.

E and R amendments to L. B. 155:

In the bill, title, page 1, 6th line, strike the word "the" after "make".

LEGISLATIVE BILL 204. Placed on Select File with amendments.

E and R amendments to L. B. 204:

1. In General File amendments by Mr. Cullingham, amendment No. 5, 2nd line, after the comma and before "and", insert: "except "Sec. 11." which is changed to "Sec. 13." by another amendment,"; 5th line, after "condemnation" insert ","; 6th line, strike the figure "4" and in lieu thereof insert "6", and also the same in amendment No. 7.

2. In General File amendments by Mr. Crosby, amendment No. 1, 1st line, strike the figure "3" after "page" and in lieu thereof insert "4"; inserted matter: line 5, strike the comma after "Commission", also in line 26 after "Nebraska"; line 33, after "City" insert ",", also in line 43 after "election"; line 46, strike ", or" and in lieu thereof insert "**or** ,"; strike the word "than" at the beginning of line 47, and in lieu thereof insert "**then**". In amendment No. 2, 1st line, strike the figure "3" and in lieu thereof insert "4".

3. In General File amendment by Mr. Crosby, to Section 13, line 24, inserted matter, 2nd line, strike the comma after "receivership", and in the 5th line after "firm"; strike the colon at the beginning of the insertion, before "Provided" and in lieu thereof insert ";".

4. In General File amendment by Mr. Peterson, to Section 15, last line, insert "," after "therefor".

5. In General File amendment by Mr. Raecke, to section 5, 4th line, strike the comma after "been".

6. In General File amendment by Mr. Thompson, to section 12, 2nd line, after the figure "9" and before "and", insert: ", inclusive, except "Sec." and the number thereof, in line 1, which is now changed to "14." by another amendment,"; 3rd line, before "organized", insert ","; 5th line, strike "20" and in lieu thereof insert "**twenty**"; 12th line, after "city" and before "village" strike the word "or" and in lieu thereof insert ",".

Following amendments to mimeographed bill:

7. Section 1, line 2, strike: " "City" or"; line 3, strike the comma after "Class"; line 6, after "of" and before "City" insert "**metropolitan**"; line 8, after "Act" and before the semicolon, insert: "**and "city", "the city" or "such city" shall mean said metropolitan city unless it is clear from the use thereof that such terms refer to some other municipality**

as hereinafter defined"; line 14, after "City" and before the semicolon, insert: "**, unless it is clear from the use thereof that the term refers to that of some other municipality**"; line 16, insert "," after "indebtedness"; line 17, before "include" strike the word "shall"; line 19, strike the word "or" at the beginning of the line, and in lieu thereof insert ",", and strike the comma after "bondholder"; strike the comma in line 25 after "accessories", line 26, after "complete" and also after "an"; line 27, strike the word "**and**" before "**(11)**"; line 30, strike the period and in lieu thereof insert: "**; and (12) words denoting the masculine gender in this act shall include similar words of the feminine sex.**".

8. Section 3, page 3, line 2, after "the" and before "City" insert "**metropolitan**"; line 9, strike the comma after "persons"; line 17, insert "," after "**State**" and also after "**thereto**"; line 24, strike the comma after "**Governor**" and also after "**successors**"; insert "," in line 35 after "**notice**" and in line 36 after "**provided**".

9. Section 6, formerly 4, insert the punctuation "," in line 16 after "powers" and at the end of the line after "Commission", line 18 after "necessary", line 20 after "municipalities", line 27 after "**Provided**"; line 17, after "the" and before "City" insert "**metropolitan**"; strike the comma in line 21 after "municipalities"; at the end of line 27 after "**that**", at the end of line 28 after "**owner**"; line 32, strike "(5)".

10. Section 7, formerly 5, insert "," in line 3 after "**been**", line 6 after "**been**", line 12 before "**for**", line 13 after "**respectively**", line 26 after "**respectively**", line 27 after "**appointments**"; strike the comma at the end of line 4 after "**be**", line 7 after "**be**", line 22 after "**75**", line 26 after "**years**"; insert the word "**metropolitan**" in line 22 before "**City**", also in line 31; line 32, strike the word "**city**" and in lieu thereof insert "**municipality**".

11. Section 8, formerly 6, line 4, strike the comma after "**corporation**"; line 25, after "**for**" and before "**recall**" insert the word "**a**"; line 40, strike the quotation mark after the question mark, and after "No" insert a quotation mark; line 46, after "**with**" insert "**a**"; line 50, after "**envelope**" strike the word "**and**" and in lieu thereof insert ",", and in said line, strike: "**and shall thereupon**"; line 53, after "**deposit**" strike "**that**" and in lieu thereof insert "**the**"; insert "," at the end of line 65 after "**negative**" and in line 72 after "**election**", also in line 77 after "**and**" and also after "**thereof**".

12. Section 9, formerly 7, line 1, strike "their" and in lieu thereof insert "**his**"; line 3, strike "**to**" before "**support**" and in lieu thereof insert: "**that he will**"; line 4, strike "**and**" after "**Nebraska**" and in lieu thereof insert ",".

13. Section 10, formerly 8, line 4, strike the word "a" before "Secretary", before "Treasurer" and before "Chief Engineer"; line 6, strike: "may be considered necessary in its opinion" and in lieu thereof insert: "it may consider necessary"; line 12, after "vote" strike the word "or" and in lieu thereof insert "of"; line 15, strike ", and all" and in lieu thereof insert ". All"; line 22, strike ", and the" and in lieu thereof insert ". The"; line 24, strike ", and the" and in lieu thereof insert ".The"; line 27, insert "," after "expenses".

14. Section 12, formerly 10, line 5, strike the comma after "thereof"; line 12, after "of" and before "unjust" insert "an"; line 13, insert "," after "authority" and also after "therefrom", and in line 14 after "lies"; line 15, strike ", and the" and in lieu thereof insert ". The".

15. Section 13, formerly 11, line 30, after "by" and before "purchase" insert "the"; insert "," in line 31 after "stock" and line 34 after "areas"; line 40, after "In" and before "event" insert "the"; line 43, strike: "Nebraska Compiled Statutes, Supplement 1941,"; at the end of line 42, after "19-714," insert: "C. S. Supp., 1941,"; line 46, strike the comma after "commission".

16. Section 14, formerly 12, line 10, strike "and any" and in lieu thereof insert "Any"; at the end of line 12, after "In" insert "the"; line 15, after "by" and before "exercise" insert "the"; line 16, insert "," after "domain"; line 17, strike "both" and in lieu thereof insert: "C. S. Supp., 1941,"; line 18, strike: "Nebraska Compiled Statutes Supplement, 1941," and at the end of the line, after "thereto" insert ","; insert "," in line 25 before "within", line 27 after "supply", line 32 after "formula", line 33, after "and", line 42 after "damages", line 47 after "purchase" also after "damages", line 48 after "determined", line 53 after "district", line 54 after "state"; line 45, strike: "at wholesale from the Commission"; strike "and in" at the end of line 46, and in lieu thereof insert: "at wholesale from the commission. In the"; line 61, strike the comma after "state".

17. Section 15, formerly 13, insert "," at the end of line 14 after "right"; line 18, strike "and to"; line 19, strike "to" before "dispose", and in said line strike "moneys" and in lieu thereof insert "money"; line 22, strike the comma after "arrearages", also in line 27 after "bonds"; line 32, strike ", and without" and in lieu thereof insert "or".

18. Section 16, formerly 14, line 16, strike the comma at the end of the line, after "thereon"; line 21, strike "(30)"; line 22, strike "(90)"; insert a quotation mark at the end of the section, after the last box.

19. Section 17, formerly 15, line 3, strike "by this Act"; line 4, after "limited" and before the comma, insert: "by this act", and in said line,

strike: "**provided in this Act**"; line 6, strike "**Compiled Statutes Supplement,**" and in lieu thereof insert "**C. S. Supp.,**" .

20. Section 18, formerly 16, line 5, strike "said Commission" and in lieu thereof insert "**it**"; line 9, strike "and" after "design" and in lieu thereof insert "**,**" .

21. Section 19, formerly 17, line 3, insert "**,**" after "instituted"; line 7, strike ", or shall" and in lieu thereof insert "**or**" .

22. Section 20, formerly 18, line 1, strike "Section" and in lieu thereof insert "That section", and at the end of said line, after "Nebraska" insert: ", 1929, be"; line 2, strike: "for 1929 shall be and the same is hereby"; line 4, strike the quotation mark before "Whenever"; line 11, strike the comma after "district" and in lieu thereof insert ";"; line 20, insert "," after "therefor"; strike the quotation mark at the end of line 23.

23. Section 21, formerly 19, line 1, strike "Section" and in lieu thereof insert "That section"; strike "Compiled Statutes" at the end of line 1, all of line 2 and the word "hereby" at the beginning of line 3, and in lieu thereof, insert: "C. S. Supp., 1941, be"; strike the quotation mark at the beginning of line 4; line 5, after "has" insert "**a**"; line 13, strike "are" before "hereby" and in lieu thereof insert "~~are~~ **is**"; strike the comma and in lieu thereof insert ";" in line 19 after "city", line 23 after "district", line 26 after "commission"; line 32, strike "of and" and in lieu thereof insert "~~and~~ ,"; line 38, strike ", and" and in lieu thereof insert "; and ,"; line 41, strike "shall" and in lieu thereof insert "~~shall~~"; strike the quotation mark at the end of line 47.

24. Section 22, formerly 20, line 1, strike "Section" and in lieu thereof insert "That section"; line 2, strike: "for 1929 shall be and the same is hereby" and in lieu thereof insert: ", 1929, be"; strike the quotation mark at the beginning of line 4 and strike the quotation mark at the end of line 10.

25. Section 23, formerly 21, line 1, strike "Section" and in lieu thereof insert "That section"; line 2, strike: "for 1929 shall be and same is hereby" and in lieu thereof insert ", 1929, be"; strike the quotation mark at the beginning of line 4; line 7, strike the comma after "district" and in lieu thereof insert ";"; insert "," at the end of line 7 after "funds" and in line 8 after "plant"; strike the quotation mark at the end of line 15.

26. Section 24, formerly 22, line 1, strike "said"; strike "for 1929" at the end of line 2, and in lieu thereof, insert: ", 1929,"; lines 3 and 4,

strike "Compiled Statutes Supplement for 1941 be and the same are hereby" and in lieu thereof insert: "C. S. Supp., 1941, are".

27. Section 26, formerly 24, line 1, at the end of the line after "and" insert "any"; line 2, after "and" and before "not" strike the word "are"; strike the comma in line 3 after "inducement" and in line 11 after "Act".

28. Strike all of the title after the semicolon in the 4th line, and in lieu thereof, insert: "to define the nature, area, organization, powers, duties and activities of such a commission; to provide for its membership, officers and employees and certain conditions and qualifications thereof; to provide for the acquisition and operation by the commission of the existing electric utilities serving such cities, other municipalities and other territory herein specified, within and without the state; to provide for the financing of such a commission and its said acquisitions, the issuance of bonds and notes by it, under the prescribed limitations, types and procedure and certain provisions with reference to payment thereof and interest thereon; to require the commission to make payments of certain sums of money, herein provided for, to equal the state and local taxes on property of such commission, as herein specified, and other sums herein provided for; to provide that such commission and its property shall be exempt from taxes; to provide certain regulations and limitations upon the powers of such commission; to provide penalties; to provide for such commission to have the power of and be subject to the laws regarding public power districts, as herein specified; to provide for submission of certain propositions by initiative referendum and recall under prescribed conditions and procedure; to prohibit alienation, in any manner, of any property of such commission to any private person, firm or corporation, as herein prescribed; to provide for the use of electric energy generated by water power by such power commission, as herein specified; to provide for certain auditing and inspecting of books, papers and property of the commission; to provide for the acquisition of property by or of such a power commission by purchase or through the use of eminent domain proceedings under certain conditions; to define terms as used in this act; to provide for the removal from office of a director of such a power commission and the procedure therefor; to provide for salaries and expenses to be paid directors, officers and employees of such a commission and certain qualifications and regulations in regard to such directors, officers and employees; to provide for the purchase at wholesale of electric current from the commission by cities, villages, incorporated rural electrification districts and public power districts and prescribing the manner of determining rates to be charged therefor; to limit and restrict the powers of public power districts, political subdivisions or other public bodies within the corporate limits of a metropolitan city and also within the area in which the commission is authorized to operate; to provide for

the extension of the area of such a power commission under the prescribed conditions and limitations; to provide for the acquisition of the property of such a commission under the prescribed methods, procedure and limitations; to provide for severance damages in such an event, as herein prescribed and limited, and certain procedure therefor; to provide that the powers conferred shall be exercised without any restriction or limitation under the city charter of home rule cities; to state a savings clause; to provide for the construction of this act; to provide how this act shall be cited; to amend sections 14-1027, 14-1029 and 14-1030, Compiled Statutes of Nebraska, 1929, and section 14-1028, C. S. Supp., 1941, relating to operation of utilities by metropolitan utilities districts; to repeal said original sections; and to declare an emergency."

LEGISLATIVE BILL 277. Presented to the Governor for approval Tuesday, May 11, 1943, at 11:10 a.m.

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 145. After discussion of Mr. Gantz' motion, Mr. Mueller moved the previous question.

The President put the question, "Shall the debate now close?"

The motion was lost with 12 ayes, 3 nays, 28 not voting.

Record vote was requested.

Mr. Peterson moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Speaker Crosby presiding

The Chair declared the call raised.

Voting in the affirmative, 17: (on Gantz motion)

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Conklin
Crosby
Crossland
Cullingham
Doyle
Gantz
Hubka
Matzke
Mischke
Osborne
Peterson
Raecke
Reavis

Voting in the negative, 18:

Asimus
Carmody
Foster
Garber
Gutoski
Heiliger
Jeppesen
Klaver
Lee
Mekota
Mueller
Neubauer
Norman
Ogden
Rakow
Sorrell
Tvrdik
Weborg

Not voting, 8:

Brodahl
Craven
Dooley
Greenamyre
Hanna
Jeffords
Thomas
Thompson

The Gantz amendment was not adopted.

Mr. Sorrell moved to refer the bill to E and R for engrossment.

The motion prevailed with 20 ayes, 14 nays, 9 not voting.

LEGISLATIVE BILL 328. E and R amendments, found in the Legislative Journal for the Eighty-seventh Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 195. Mr. Peterson's specific amendment, found in this day's Journal, was adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL 160. Mr. Gantz' specific amendment, found in this day's Journal, was adopted.

Referred to E and R for engrossment.

MOTION—Not to Concur

Mr. President: I move that the Legislature do not concur in the Standing Committee report on L. B. 383 and the same be placed at the head of Special File.

(Signed) Reavis

Mr. Doyle moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Mr. Doyle moved to raise the call.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Record vote was requested.

Voting in the affirmative, 22: (on Reavis motion)

Anderson, D. S.
Anderson, James H.
Craven
Crosby
Cullingham
Dooley
Doyle
Gantz
Greenamyre
Gutoski
Hanna
Hubka
Klaver
Lee
Mischke
Norman
Ogden
Peterson
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 17:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Garber
Heiliger
Jeffords
Jeppesen
Mueller
Neubauer
Osborne
Raecke
Sorrell
Weborg

Not voting, 4:

Foster
Matzke
Mekota
Thomas

The Reavis motion prevailed.

MOTION—Not to Concur

Mr. President: I move that the Legislature do not concur in the Standing Committee report of L. B. 360 and that same be placed on General File immediately following L. B. 383.

(Signed) Tvrdik, Norman, Klaver

MOTION—To Amend Tvrdik Motion

Mr. President: I move as an amendment to the Tvrdik motion that we do not concur in the Committee Reports and that all bills indefinitely postponed be raised to top of Special File in same order as appearing on today's work sheet.

(Signed) Garber

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Mr. Mischke moved to raise the call.

Thirty-eight members were present.

The motion prevailed with 29 ayes, no nays, 14 not voting.

The Garber motion was lost with 13 ayes, 20 nays, 10 not voting.

The Tvrdik motion was lost with 7 ayes, 14 nays, 22 not voting.

MOTION—To Postpone Indefinitely

Mr. President: I move that all bills remaining on General File, except those bills which are on the special and non-controversial file, be indefinitely postponed.

(Signed) Rakow

MOTION—To Amend

Mr. President: I move to amend the Rakow motion that all bills in standing committees be killed.

(Signed) Neubauer

The motion prevailed with 23 ayes, 9 nays, 11 not voting.

MOTION—To Amend

Mr. President: I move to amend the Rakow amendment to except L. B. 261.

(Signed) Norman

The motion prevailed with 26 ayes, 4 nays, 13 not voting.

MOTION—To Amend Rakow Motion

Mr. President: I move to amend the Rakow motion to include Legislative Resolutions now on General File and in Standing Committees.

(Signed) Mischke

The motion prevailed.

MOTION—To Lay Rakow Motion on Table

Mr. President: I move that the Rakow motion be laid on the table.

(Signed) Sorrell

The motion lost with 11 ayes, 20 nays, 12 not voting.

The Rakow motion, as amended, prevailed with 23 ayes, 7 nays, 13 not voting.

GENERAL FILE

LEGISLATIVE BILL 383. Passed over.

LEGISLATIVE BILL 420. The Crossland amendment, offered on the Eighty-seventh Day, was lost with 9 ayes, 12 nays, 22 not voting.

Mr. Mekota offered an amendment which was lost.

Mr. Reavis offered the following amendments, which were adopted:

1. Amend page 2 of the bill, section 1, line 12, by striking the word "**twenty**" and inserting in lieu thereof the word "**seventeen**".

2. Amend page 2 of the bill, section 1, line 12, by inserting after the semicolon at the end of line 12, the following: "**counties having a population of more than seventeen thousand and not more than twenty thousand, class (4a);**".

3. Amend page 4 of the bill, by inserting immediately after section 5, a new section to be numbered "6", reading as follows:

"Sec. 6. **In counties having a population of class (4a), the county officers shall each receive as their annual salaries to be paid out of the general fund of the county, as follows:**

clerk of the district court, the sum of	**2400.00 dollars;**
county attorney, the sum of	**1700.00 dollars;**
register of deeds, in any county entitled to have such office, the sum of	**1700.00 dollars;**
county assessor, the sum of	**700.00 dollars;**
county superintendent, the sum of	**2250.00 dollars;**
county judge, the sum of	**2400.00 dollars;**
clerk of the county court, the sum of	**1250.00 dollars;**
county clerk, the sum of	**2400.00 dollars;**

county treasurer, the sum of	2400.00 dollars;
sheriff, the sum of	2000.00 dollars;
surveyor, the sum of	1800.00 dollars;
deputy clerk of the district court, the sum of	1200.00 dollars;
deputy register of deeds, in any county entitled to have such an officer, the sum of	1250.00 dollars;
deputy county clerk, the sum of	1500.00 dollars;
and deputy county treasurer, the sum of	1500.00 dollars."

4. Strike the section numbers of the bill, "6" to "26", inclusive, and renumber as sections "7" to "27", inclusive.

Member Excused

Mr. Greenamyre was excused for Wednesday.

Mr. Cullingham presiding

Mr. Thompson offered an amendment which was lost with 3 ayes, 13 nays, 27 not voting.

Mr. Heiliger offered the following amendment:

Amend page 7 of the bill, Section 8, by adding two new lines, numbered 29 and 30, reading as follows: "deputy surveyor when acting as deputy county engineer, the sum of twenty-seven hundred dollars".

Adjournment

At 5:03 p.m. Mr. Mueller moved to recess until 7:30 p.m. The motion was lost.

On motion by Mr. Garber, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

EIGHTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, May 12, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Crosby presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Greenamyre, who was excused.

The Journal for the Eighty-eighth Day was approved as corrected.

Communications

A letter was read from a former member, Major Richard N. Johnson, "Somewhere, South Pacific", extending greetings to the Legislature.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 249
L. B. 239
L. B. 197
L. B. 166
L. B. 223
L. B. 246
L. B. 429
L. B. 269
L. B. 191
L. B. 351
L. B. 407

Correctly Engrossed

L. B. 231
L. B. 285
L. B. 318
L. B. 391
L. B. 129
L. B. 402
L. B. 432
L. B. 439
L. B. 364

LEGISLATIVE BILL 415. Placed on Select File with amendments.

E and R amendments to L. B. 415:

1. In Standing Committee amendment No. 1, after "**protected**" and before the quotation mark, at the end of the insertion, insert "**.**".

2. In the bill, Section 3, page 2, line 2, insert "**,**" after "**hereto**"; line 5, strike the comma after "**thereby**", also in line 7 after "**premises**".

3. In the bill, Section 4, page 2, line 3, after "**in**" and before "**form**" insert the word "**such**".

4. In the bill, Section 5, page 3, line 3, after "**upon**" insert "**the**"; at the end of line 4, after "**and**" insert "**a**"; insert "**,**" in line 11 after "**lessee**" and in line 12 after "**therefor**".

5. In the bill, Section 6, page 3, line 3, strike: "**or by his agent or attorney, or by**" and in lieu thereof insert: "**, applicant's agent or attorney or**"; line 4, strike "**the**" before "**corporation**" and in lieu thereof insert "**a**", and in said line, strike "**be**" after "**application**", and in lieu thereof insert "**is**"; lines 6 and 7, strike "**, and all applications shall**" and in lieu thereof insert "**and shall**"; insert "**,**" in line 7 after "**land**" and in line 8 after "**subdivisions**".

6. In the bill, Section 7, pages 3 and 4, line 2, strike the comma after "**auction**"; line 3, strike "**, and**"; line 5, strike the word "**made**" at the beginning of the line; line 8, after "**by**" and before "**affidavit**" insert "**an**"; line 9, strike "**, which shall**" and in lieu thereof insert "**to**"; insert "**,**" in line 15 after "**notice**", line 16 after "**and**" and also after "**thereof**".

7. In the bill, Section 8, page 4, insert "**,**" in line 2 after "**authorized**" and also after "**discretion**", line 4 after "**hereto**".

8. In the bill, Section 9, page 4, line 2, strike "**fully to**" and in lieu thereof insert "**to fully**"; line 11, strike "**its**" after "**by**", and after "**operations**" strike "**and**" and in lieu thereof insert "**under such lease and,**"; line 12, strike "**its**" and in lieu thereof insert "**the**"; insert "**,**" in line 1 after "**reserved**", line 2 after "**hereto**" and also after "**enjoy**", line 3 after "**purposes**", line 7 after "**rights**", line 8 after "**hereunder**", at the end of line 11 after "**thereof**".

9. In the bill, Section 10, page 5, line 3, after "**regulations**" insert: "**, as it may deem necessary and proper but which are**"; line 4, strike all of said line after "**state**" and in lieu thereof insert "**,**".

10. In the bill, Section 11, formerly 12, line 3, before “made” insert: “**shall be permitted if**”; line 4, strike “**shall be permitted**”; insert “**,**” in line 7 after “**bond**”, line 15 after “**showing**”, line 16 after “**board**”, line 18 after “**accruing**”; line 17, strike the comma after “**assignee**”; line 18, after “**to**” and before “**undivided**” insert “**an**” .

11. In the bill, Section 12, formerly 14, insert “,” in line 5 after “channels”; line 10, after “state” insert “,”; line 12, strike the comma after “state” and in lieu thereof insert “;”; line 14, strike: “**Legislative Bill ..... of the**” and in lieu thereof insert: “**legislative bill 415,**”; line 15, strike “**Legislature,**” and in lieu thereof insert: “**State Legislature, 1943,**”; line 18, strike “**, and the**” and in lieu thereof insert “; and ~~the~~” .

12. In the bill, Section 13, formerly 15, page 7, line 3, after “Any” insert “**person,**”; strike the comma and in lieu thereof insert “;” in line 5 after “for”, line 6 after “minerals”, line 11 after “permit”; line 10, strike “and it” and in lieu thereof insert: “~~and it~~ . **It**” .

13. In the bill, Section 14, formerly 16, page 7, line 6, strike “, and shall” and in lieu thereof insert “; and ~~shall~~ **to**”; insert “**,**” in line 8 after “machinery”, line 9 after “area”; strike the comma and in lieu thereof insert “;” in line 10 after “enumerated”, line 16 after “work”; line 12, strike “, and” and in lieu thereof insert “; and **begin**”; line 13, strike “must be begun” and in lieu thereof insert “~~must be begun~~”; line 14, strike “Lessee” and in lieu thereof insert: “**The** ~~Lessee~~ **lessee**”; line 16, strike the comma after “**Funds**” .

14. In the bill, Section 15, formerly 17, page 8, strike the comma and in lieu thereof insert “;” in line 4 after “substances”, line 12 after “delay” .

15. In the bill, Section 16, formerly 18, page 8, line 3, strike: “The terms upon which a” and in lieu thereof insert: “~~The terms upon which~~ **A**”; line 4, strike: “may be issued shall be” and in lieu thereof insert: “~~may~~ **shall** be issued ~~shall be~~”; line 9, strike “, the same” and in lieu thereof insert “; ~~the same~~”; strike the comma and in lieu thereof insert “;” at the end of line 11 after “Survey”, line 15 after “state”, line 24 after “mining”, line 29 after “to”, line 33 after “lessee”; insert “,” in line 18 after “state”, line 19 after “situated”, line 21 after “enjoy”, line 23 after “purposes”; line 21, after “agriculture” insert “**use,**”; line 25, strike “Lessee” and in lieu thereof insert: “**The** ~~Lessee~~ **lessee**”; line 26, strike “his operations” and in lieu thereof insert: “~~his~~ **such** operations,”; line 31, strike “, and” and in lieu thereof insert “; **and**”; line 33, strike “him” and in lieu thereof insert: “~~him~~ **the lessee**”; line 40, after “upon” insert “**the**” .

16. In the bill, title, page 1, 15th line, after the semicolon and before "and", insert: "to state a savings clause;".

LEGISLATIVE BILL 153. Placed on Select File with amendments.

E and R amendments to L. B. 153:

1. In Standing Committee amendment to Section 12, inserted matter, after the quotation mark and before "or" insert a comma.

2. In Standing Committee amendment to Section 14, inserted matter, strike the period after "agencies" and before the quotation mark.

3. In General File amendment No. 1, by Mr. Raecke, 2nd line, strike: "inserting a comma in lieu thereof"; in the inserted matter, 1st line, strike "and, in" and in lieu thereof insert ". In".

4. In General File amendment No. 2, by Mr. Raecke, 2nd and 3rd lines, strike: "inserting a comma in lieu thereof and then" and in lieu thereof insert "and".

5. In General File amendment No. 4, by Mr. Raecke, strike all of said amendment and in lieu thereof, in the bill, Section 14, page 6, strike the comma at the end of line 3 and in lieu thereof insert: "or, in the case of a board of public works, shall pass an appropriation resolution".

6. In General File amendment No. 5, by Mr. Raecke, strike the period after "resolution" and before the quotation mark.

7. In General File amendment No. 6, by Mr. Raecke, 2nd line, after "by" and before "adding" insert: "striking the period and"; in the inserted matter, 2nd line, strike "be not" and in lieu thereof insert "is no".

8. In General File amendment No. 7, by Mr. Raecke, last line, strike the period after "resolution" and before the quotation mark.

9. In General File amendment No. 9, by Mr. Raecke, in the inserted matter, 2nd line, strike the comma after "reappropriation", and strike the word "moneys" and in lieu thereof insert "money", and strike the comma at the end of the insertion, after "year" and before the quotation mark.

10. In the bill, Section 3, page 2, line 3, strike the word "and".

11. In the bill, Section 6, page 3, insert a comma in line 2 after "funds" and in line 3 after "government".

12. In the bill, Section 7, page 3, line 4, strike ", and to" and in lieu thereof insert ". To".

13. In the bill, Section 10, page 5, strike the semicolon at the end of line 23 and in lieu thereof insert ", and,"; line 24, insert a comma after "thereto"; line 28, after "ordinance" and before the comma, insert "or resolution"; line 30, after "ordinances" insert "or resolutions".

14. In the bill, Section 11, page 5, line 1, strike ", and the form of" and in lieu thereof insert "and"; line 3, strike ", and it" and in lieu thereof insert ". It"; line 4, strike the comma after "document".

15. In the bill, Section 12, pages 5 and 6, strike the comma at the end of line 5 after "municipality"; insert a comma in line 6 after "or".

16. In the bill, Section 13, page 6, line 6, strike the comma after "shall".

17. In the bill, Section 14, page 6, line 3, strike "and shall"; insert a comma at the end of line 8 after "agencies" and in line 9 after "forth".

18. In the bill, Section 15, page 6, strike the comma at the end of line 1 after "commission", at the end of line 3 after "liability", line 8 after "agency", line 9 after "purpose", line 11 after "municipality", line 14 after "year"; line 3, strike the word "or" before "incur"; line 8, strike "or other"; insert a comma in line 10 after "section".

19. In the bill, Section 16, page 7, line 3, after "fund" insert: ", of a portion or all"; lines 3 and 4, strike: "or any portion thereof"; insert a comma in line 2 after "transfer"; strike the comma in line 6 after "Authority".

20. In the bill, Section 17, page 7, line 2, strike the comma after "appropriations".

21. In the bill, Section 18, page 7, line 1, insert a comma after "year"; line 4, strike ", and appropriations" and in lieu thereof insert: ". Appropriations"; strike ", and any" at the end of line 7, and in lieu thereof insert ". Any".

22. In the bill, Section 19, page 8, insert a comma in line 1 after "If", in line 5 after "ordinance"; line 5, after "act" insert ", resolution".

23. In the bill, Section 20, page 8, lines 4 and 5, strike: "power and whose duty it shall be" and in lieu thereof insert: "the power and duty"; strike the comma in line 7 after "debt".

24. In the bill, Section 21, formerly 24, lines 5 and 6, strike: "; and, as" and in lieu thereof insert ". As"; line 8, strike "shall"; line 12, strike the comma after "indebtedness" and in lieu thereof insert "or"; line 18, strike ", and for" and in lieu thereof insert "and"; line 24, strike "or" after "city" and in lieu thereof insert a comma; insert a comma at the end of line 10 after "official", at the end of line 12 after "contracts", in line 15 after "contract", in line 16, after "municipality", in line 27, after "indebtedness", line 31 after "brought", line 32 after "municipality"; strike the comma at the end of line 11 after "therefor", line 14 after "indebtedness", line 15 after "indebtedness", line 16 after "act", line 26 after "indebtedness", line 29 after "expenditures"; line 30, after "his" insert "or her".

25. In the bill, Section 23, formerly 26, line 11, insert a comma after "act"; line 12, strike the comma after "act".

26. In the bill, title, page 1, 9th line, strike the semicolon after "1944" and in lieu thereof insert: ", and the effect and operation thereof;"; 21st line, after the semicolon and before the word "and", insert: "to define terms; to prescribe certain duties of the Auditor of Public Accounts; to provide a saving clause; to provide how this act shall be construed;".

LEGISLATIVE BILL 299. Replaced on Select File with amendments.

E and R amendments to L. B. 299:

1. In Enrollment and Review amendment 2, line 1, strike the figure "3", and insert in lieu thereof "4"; and strike "more" and insert in lieu thereof "person".

2. Strike the comma in line 26 and in lieu thereof insert ";", and also strike the comma inserted in line 24 by amendment.

3. In line 25, Section 1, page 2, insert "or her" before the word "lifetime".

4. In line 27, Section 1, page 2, strike the word "and" and in lieu thereof insert "and".

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 249
L. B. 239
L. B. 197
L. B. 166
L. B. 223
L. B. 246
L. B. 429
L. B. 269
L. B. 191
L. B. 351
L. B. 407

RESOLUTIONS

LEGISLATIVE RESOLUTION 34. Electric Power Investigation Committee.

Mr. Garber moved that the rules be suspended and that a public hearing on the resolution be held on Saturday, May 15, 1943, and that the Committee report to the Legislature Monday.

The motion prevailed with 41 ayes, no nays, 2 not voting.

The resolution was referred to the Committee on Public Works.

The Chairman of that committee announced that hearing on the resolution would be held on Saturday, May 15, 1943, at 1:30 p.m. in the East Senate chamber.

MOTION—Saturday Session

Mr. Reavis moved that the rules be suspended and a session of the Legislature be held Saturday, May 15, 1943, at 9:00 a.m.

The motion prevailed with 35 ayes, 3 nays, 5 not voting.

MOTION—L. B. 286

Mr. Thompson moved that the mimeographed copy, as prepared and submitted, be considered as amended bill 286.

The motion prevailed.

REQUEST—Unanimous Consent

Mr. Peterson asked that unanimous consent be granted to return L. B. 327 to Select File for the following specific amendments:

Amend Standing Committee amendment, page 3, section 5, line 27, by inserting after the word "fireman" and before the punctuation the following: "during such time as she shall remain the widow of such deceased fireman".

Amend standing committee amendment 1, page 3, section 5, lines 12 and 13, by striking the words "**except former members of such department now in military service**" and substituting in lieu thereof the following: "**except those who shall have been formerly employed in such department who are now in military service or who enter such service during the present world war**".

Amend standing committee amendment 1, page 4, section 5, lines 43 to 45, by striking the words: "**who is not a former member of said department now in military service**" and substituting in lieu thereof the following: "**except those who shall have been formerly employed in such department who are now in military service or enter such service during the present world war**".

No objection was offered. So ordered.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage.

LEGISLATIVE BILL 225.

A bill for an act relating to county high schools; to provide for the discontinuance and dissolution of a county high school organized under Article 10, Chapter 77, Compiled Statutes of Nebraska, 1929; to provide the procedure therefor; to provide for the winding up of the affairs of such a district after discontinuance and dissolution has been voted; to except such districts, in counties where it is the only district having a twelve grade high school, from the provisions of this act; and to prescribe the manner of payment of indebtedness of the dissolved district.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 5:

Brodahl
Greenamyre
Hanna
Matzke
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 433. With emergency clause.

A bill for an act to approve and adopt the report of the 1943 Statute Commission; to provide for the editing, annotating, indexing and preparing of the manuscript and publication of the general laws of the state as the Revised Statutes of Nebraska, 1943; to provide for the authentication, sale and distribution thereof; to repeal Article 11, Chapter 49, C. S. Supp., 1941; to provide an appropriation; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Dooley
Greenamyre

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 332. E and R amendments, found in the Legislative Journal for the Eighty-sixth Day, were adopted.

Mr. Peterson, as Chairman of the Committee on Banking, Commerce and Insurance, offered specific amendments and asked that they be adopted by unanimous consent. (The amendments were mimeographed in lieu of printing in the Journal).

Objection was raised by Mr. Osborne.

Mr. Mischke presiding

Mr. Peterson moved that the bill be referred to General File for consideration of the specific amendment.

The motion prevailed.

LEGISLATIVE BILL 155. E and R amendments, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 204. E and R amendments, found in the Legislative Journal for the Eighty-eighth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 327. Mr. Peterson's specific amendments, above set out, were adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 332. Mr. Jeppesen offered an amendment to the Peterson amendments, which was lost.

Mr. Peterson's specific amendments were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 420. Mr. Heiliger's amendment, offered on the Eighty-eighth Day, was adopted.

Mr. Hubka offered the following amendments, which were adopted:

1. Amend page 5 of the bill, section 7, lines 5 and 6, by striking the words "thirty-two hundred" and inserting in lieu thereof the words: "three thousand".

2. Amend page 6 of the bill, line 7, by striking the words "nineteen hundred fifty" and inserting in lieu thereof the words: "two thousand".

3. Amend page 6 of the bill, section 7, line 15, by striking the words "three thousand" and inserting in lieu thereof the words: "thirty-two hundred".

Mr. Doyle offered the following amendments, which were adopted:

1. Amend the original bill, as amended, page 5, section 6, line 17, by striking the words "nineteen hundred fifty" and inserting in lieu thereof the words "twenty-one hundred"; line 15, by striking the words "twenty-three" and inserting in lieu thereof the words "twenty-five"; line 16, by striking the words "twenty-three" and inserting in lieu thereof the words "twenty-five".

2. Amend the Reavis amendment found on Page 1366 of Legislative Journal, relating to Sec. 6 of the bill, in counties having a population of class (4a), as follows:

(1) In line pertaining to deputy register of deeds, strike "1250.00" and insert in lieu thereof "1400.00".

(2) In line pertaining to deputy county clerk, strike "1500.00" and insert in lieu thereof "1600.00".

(3) In line pertaining to deputy county treasurer, strike "1500.00" and insert in lieu thereof "1600.00".

Member Excused

Mr. Peterson was excused until 2:30 p.m.

Mr. Crossland offered the following amendment, which was adopted:

Amend page 3, Section 4, line 6, by striking the words "twenty-two hundred" and substituting the words "two thousand".

Approved by the Governor

May 12, 1943

To the President, the Speaker, and Members of the Legislature.
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 277. On May 10th he approved Legislative Bill 368.

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

Recess

At 12:00 m. on motion by Mr. Garber, the Legislature recessed until 1:30 p.m.

After Recess

The Legislature reconvened at 1:30 p.m. Mr. Mischke presiding.

The roll was called and all members were present except Messrs. Greenamyre and Peterson, who were excused.

GENERAL FILE

LEGISLATIVE BILL 420. Mr. Thompson offered an amendment which was lost with 8 ayes, 10 nays, 25 not voting.

Mr. Gutoski offered the following amendment, which was adopted:

Amend Section 9, line 9, by striking "forty-two" and inserting in lieu thereof "forty-five", and strike entirely lines 30 and 31 from the same section.

Mr. Cullingham and Mr. Klaver offered the following amendments, which were adopted:

Amend page 7, Sec. 9, between lines 18 and 19 by inserting the following: "Chief Juvenile Probation Officer the sum of thirty-three hundred ....dollars.

Assistant Juvenile Probation Officers the sum of twenty hundred .... dollars."

Mr. Thompson offered the following amendment, which was adopted:

Amend page 5, Sec. 6, lines 5 and 6, by striking the words "twenty-six hundred" and inserting in lieu thereof the words "twenty-three hundred".

Mr. Dooley offered the following amendment, which was adopted:

Amend page 4 of the bill, section 4, line 11, by striking the words "of eleven hundred dollars" and inserting "To be fixed by the county board but not to exceed twelve hundred dollars."

Messrs. Cullingham, Klaver and Norman offered the following amendment, which was adopted:

Amend Sec. 9, page 7, by inserting between lines 18 and 19 the following: "Chief Adult Probation Officer the sum of twenty-two hundred ....dollars".

Mr. Doyle moved to refer the bill to E and R for review.

Mr. Garber moved to postpone indefinitely.

Record vote was requested.

Voting in the affirmative, 4:

Asimus
Garber
Jeffords
Neubauer

Voting in the negative, 24:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crossland
Cullingham
Doyle
Foster
Gantz
Gutoski
Hanna
Hubka
Jeppesen
Klaver
Mekota
Mischke
Norman
Ogden
Raecke
Rakow
Thomas
Thompson
Tvrdik
Weborg

Not voting, 15:

Bowman
Burnham
Carmody
Craven
Crosby
Dooley
Greenamyre
Heiliger
Lee
Matzke
Mueller
Osborne
Peterson
Reavis
Sorrell

The Garber motion was lost.

Mr. Burnham offered an amendment which was lost with 6 ayes, 9 nays, 28 not voting.

Mr. Craven offered the following amendment, which was adopted:

Amend Sec. 8, page 7, line 22 by striking the word "twenty-one" and inserting the word "twenty-five" in lieu thereof.

Referred to E and R for review.

LEGISLATIVE BILL 383. Read and considered.

Mr. Reavis offered the following amendment, which was adopted:

Amend by striking in line 2 the word "six" and in line 3 the words "thousand dollars per annum" and inserting in lieu thereof the words "Five thousand five hundred dollars per annum".

Amend the title accordingly.

Mr. Doyle moved to refer the bill to E and R for review.

Mr. Doyle moved a call of the House.

A call of the House was ordered.

Forty-two members were present.

Mr. Gutoski moved to raise the call.

The motion lost with 21 ayes, 3 nays, 19 not voting.

Mr. Gutoski changed his vote from nay to aye and moved to raise the call.

The motion prevailed with 22 ayes, 3 nays, 18 not voting.

Mr. Gutoski changed his vote from aye to nay.

Mr. Doyle moved a call of the House.

The motion was lost with 14 ayes, 18 nays, 11 not voting.

The motion to refer to E and R for review was lost with 18 ayes, 20 nays, 15 not voting.

Mr. Sorrell moved to strike the enacting clause.

Motion—To Adjourn

Mr. Mueller moved to adjourn.

Record vote was requested.

Voting in the affirmative, 5:

Garber
Jeppesen
Matzke
Mueller
Raecke

Voting in the negative, 31:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Klaver
Lee
Mekota
Mischke
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Sorrell
Thompson
Tvrdik

Not voting, 7:

Asimus
Crossland
Dooley
Greenamyre
Jeffords
Thomas
Weborg

The motion to adjourn was lost.

GENERAL FILE (Continued)

Mr. Hanna moved the previous question.

The Chair put the question, "Shall the debate now close?"

The motion prevailed with 32 ayes, 4 nays, 7 not voting.

Record vote was requested.

Voting in the affirmative, 17:

Asimus
Brodahl
Heiliger
Jeffords
Matzke
Mekota
Raecke
Sorrell

Burnham
Carmody
Conklin
Jeppesen
Lee
Neubauer
Osborne
Thomas
Weborg

Voting in the negative, 14:

Anderson, James H.
Craven
Cullingham
Doyle
Foster
Gantz
Hanna
Hubka
Klaver
Norman
Rakow
Reavis
Thompson
Tvrdik

Not voting, 12:

Anderson, D. S.
Bowman
Crosby
Crossland
Dooley
Garber
Greenamyre
Gutoski
Mischke
Mueller
Ogden
Peterson

The Sorrell motion prevailed.

LEGISLATIVE BILL 440. Mr. Thompson offered an amendment which was lost.

Referred to E and R for review.

LEGISLATIVE BILL 72. Mr. Doyle withdrew his amendment offered on the Eighty-seventh Day.

Mr. Garber offered the following amendment, which was adopted:

Amend L. B. 72 as follows:

1. Page 2, section 1, lines 7 and 8, by striking all of the new matter in said lines and insert the following: "and no sale, lease or transfer of such plant system or lines by any city or village to a public power district."

2. Amend line 7, by inserting the word "private" before the word "corporation".

3. Page 2, section 1, lines 10 to 20 inclusive, by striking said lines and inserting in lieu thereof: "at a general or special election and approved by 60% of the electors voting on the proposed matter. Three weeks notice of the submission of the proposition shall be given by publication in some legal newspaper published and of general circulation in such city, village or public electric light and power district, or if no newspaper is published therein then by posting in 5 or more public places therein."

4. Amend the title to conform to the bill as amended.

Mr. Conklin moved to postpone indefinitely.

The motion was lost.

Mr. Doyle offered an amendment which was lost with 4 ayes, 16 nays, 23 not voting.

Mr. Doyle presiding

Mr. Matzke offered the following amendments:

Amend by inserting in line 8 after the new matter and before the word "Shall" the following: "and no sale, lease or transfer of such plant, system or lines by any public power district operating in and owning lines in less than thirteen counties, except such power district as might be organized under L. B. 204 of the 56th session of the Nebraska Legislature, to any other power district."

Record vote was requested.

Voting in the affirmative, 26:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Gantz
Garber
Hanna
Heiliger
Hubka
Jeffords
Matzke
Mekota
Mischke
Mueller
Osborne
Peterson
Raecke
Thomas
Weborg

Voting in the negative, 0.

Not voting, 17:

Anderson, James H.
Crosby
Doyle
Foster
Greenamyre
Gutoski
Jeppesen
Klaver
Lee
Neubauer
Norman
Ogden
Rakow
Reavis
Sorrell
Thompson
Tvrdik

The amendment was adopted.

Referred to E and R for review.

LEGISLATIVE BILL 176. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Osborne offered the following amendment:

Amend page 4, Sec. 4, line 40, by striking the word "three" and substituting the word "two".

Amend line 42 by striking the word "two" and substituting the word "one".

Record vote was requested.

Voting in the affirmative, 8:

Asimus
Bowman
Burnham
Carmody
Garber
Jeppesen
Osborne
Thomas

Voting in the negative, 22:

Anderson, James H.
Brodahl
Conklin
Cullingham
Dooley
Foster
Gantz
Gutoski
Heiliger
Hubka
Jeffords
Klaver
Lee
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik

Not voting, 13:

Anderson, D. S.
Craven
Crosby
Crossland
Doyle
Greenamyre
Hanna
Matzke
Mekota
Mischke
Mueller
Sorrell
Weborg

The amendment was not adopted.

Mr. Hubka offered the following amendment, which was adopted:

Amend Sec. 3, page 3, line 22, by inserting after word "extent" the words "that they".

Mr. Hubka moved to refer the bill to E and R for review.

The motion prevailed with 24 ayes, 7 nays, 12 not voting.

LEGISLATIVE BILL 296. Read and considered.

Standing Committee amendments, numbered 4 and 5, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Strike Section 4.

Laid over.

Adjournment

At 5:25 p.m. on motion by Mr. Gantz the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

NINETIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, May 13, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Reverend V. A. Anderson of Lincoln.

The roll was called and all members were present except Mr. Doyle.

The Journal for the Eighty-ninth Day was approved as corrected.

Communications

A letter was read from Mrs. Maud E. Nuquist, Chairman of the Board of Control, regarding copies of the "Nebraska Zephyr".

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 184
L. B. 422
L. B. 394
L. B. 352
L. B. 309
L. B. 282
L. B. 244
L. B. 353
L. B. 331
L. B. 329

LEGISLATIVE BILL 160. Replaced on Select File with amendments.

E and R amendments to L. B. 160:

In the bill, title, page 1, 8th line, strike the word "and", to avoid duplication due to Select File amendment.

LEGISLATIVE BILL 71. Placed on Select File with amendments.

E and R amendments to L. B. 71:

1. In the bill, Section 1, page 2, line 3, before "**A**" insert "~~VI.~~", and strike "**to**" at the end of the line, and in lieu thereof insert "~~To~~ **to**"; insert "," in line 4 after "franchise", line 5, after "section", line 17 after "may", line 32 before "**now**", at the end of line 33 after "**requirements**"; strike the comma and in lieu thereof insert ";" in line 6 after "company", line 9 after "structures", line 11 after "city", line 14 after "city", line 17 after "electricity", line 29 after "city"; line 27, strike "**It**" and in lieu thereof insert "**They**"; at the end of line 31 after "**of**" insert "**the**"; strike the comma at the end of line 32 and in lieu thereof insert "**for**"; page 3, line 36, after "as" and before "**section**" insert: "**are set forth in**".

2. In the bill, Section 2, page 3, line 5, strike "to" and in lieu thereof insert "~~XIII.~~ ~~To~~ **to**"; line 6, strike the comma after "corporation" and in lieu thereof insert ";"; insert "," in line 6 after "association", line 10 after "**contracts**", line 11 after "**years**", line 24 after "**requirements**"; strike the comma in line 10 after "**village**", and at the end of line 15 after "**village**"; line 23, strike the comma before "**all**" and in lieu thereof insert "**for**"; line 27, after "as" and before "**section**" insert: "**are set forth in**".

3. In the bill, title, page 1, 6th line, after "for" and before "gas" insert "a"; 16th line, after "village" insert: ", now generating its own electric current for"; 17th line, insert a comma after "requirements".

LEGISLATIVE BILL 236. Placed on Select File with amendments.

E and R amendments to L. B. 236:

1. In the bill, Section 1, pages 2 and 3, insert "," in line 7 after "pupils", line 8 after "**1941**"; line 8, strike "~~Nebr.~~," and in lieu thereof insert "~~Neb.~~,"; line 13, strike the comma after "thereof"; line 17, strike "certificates" and in lieu thereof insert "~~certificate~~ **certificates**"; line 18, strike "said" and in lieu thereof insert "~~said~~"; line 21, after "levy" insert "**(a)**"; line 24, strike: "shall exclude from said levy" and in lieu thereof insert: "~~shall exclude from said levy~~ **(b)**"; lines 26 and 27, strike: "shall exclude from said levy" and in lieu thereof insert: "~~shall exclude from said levy~~ **(c)**"; lines 29 and 30, strike: ", and shall exclude from said levy one-fourth" and in lieu thereof insert: "and ~~shall exclude from said levy one fourth~~ **(d) one fourth**"; line 35, strike "shall" before "certify" and in lieu thereof insert "~~shall~~";

lines 36 and 37, strike: "upon the tax rolls" and in lieu thereof insert "~~upon the tax rolls~~"; line 37, after "superintendent" and before the period, insert: "**upon the tax rolls**"; line 39, strike "shall" and in lieu thereof insert "~~shall~~".

2. In the bill, Section 2, page 3, line 3, insert "," after "state"; line 4, strike the comma after "children" and in lieu thereof insert "~~,~~;"; lines 10 and 11, strike ", and the" and in lieu thereof insert "~~,~~; ~~and the~~ **. The**".

LEGISLATIVE BILL 335. Placed on Select File with amendments.

E and R amendments to L. B. 335:

1. In the bill, Section 1, page 2, line 6, insert a comma after "grants".

2. In the bill, Section 2, page 2, insert a comma at the end of line 1 after "Control", line 8 after "adults"; line 7, strike "and shall"; line 8, strike "two" and in lieu thereof insert "three"; line 9, strike "shall"; line 10, after "any" and before "lawful" insert "of its", and in said line, strike "representative or agent" and in lieu thereof insert: "representatives or agents"; strike "of it" at the end of line 10; line 9, strike ";" after "act" and in lieu thereof insert ",".

3. In the bill, Section 3, page 2, insert a comma in line 3 after "grants"; strike the comma in line 9 after "act".

4. In the bill, Section 4, page 2, strike the comma in line 3 after "location".

5. In the bill, Section 5, page 3, line 3, after "manager" insert: "in the manner and form prescribed by the board"; line 4, strike "shall"; strike all of line 5 after "representatives" and all of line 6 except the period at the end of said line.

6. In the bill, Section 7, page 3, line 1, insert the word "the" after "whether" and also at the end of the line, after "or"; insert a comma in line 2 after "manager" and in line 6 after "jail".

7. In the bill, title, 6th line, after "provide" insert the word "for"; 8th line, after the semicolon and before the word "and", insert: "to provide for a prescribed record to be kept, according to the prescribed form and manner, by the owner or manager of such home, the same to be open to the inspection herein provided for;".

LEGISLATIVE BILL 435. Placed on Select File with amendments.

E and R amendments to L. B. 435:

1. In the bill, Section 1, page 2, line 5, before "**and**" insert "**inclusive,**", also at the end of said line, after "79-604,"; line 6, before "shall" insert: "**as amended,**"; line 13, strike "notice whereof" and in lieu thereof insert: "**when** notice ~~whereof~~ **thereof**"; line 17, strike ", and if" and in lieu thereof insert: "~~, and if~~ **. If**"; line 22, strike "one-fourth" and in lieu thereof insert: "~~one-fourth~~ **one fourth**"; insert "," in line 19 after "levy", line 21 after "appropriation", line 23 after "district".

2. In the bill, Section 2, page 3, line 8, strike the comma after "existing" and in lieu thereof insert "~~,~~"; line 20, after "79-137," insert "**inclusive,**"; insert "," in line 22 after "warrants", page 4, line 27 after "reimbursed", line 46 after "and", page 5, line 59 after "notes", line 66 after "registry"; line 28, strike the comma after "bonds" and in lieu thereof insert "~~,~~"; line 29, after "in" insert "**the**"; line 58, strike ", and may" and in lieu thereof insert: "~~,~~ and ~~may~~"; page 5, line 61, strike the comma after "annum" and in lieu thereof insert "~~,~~"; line 65, strike ", and shall" and in lieu thereof insert "~~,~~ and ~~shall~~"; at the end of line 72, after "appropriation", insert "**of**"; line 73, strike "one-fourth" and in lieu thereof insert "~~one fourth~~ **one fourth**".

3. In the bill, title, page 1, 3rd line, insert a comma after "increase".

4. In the bill, Section 2, page 4, line 33, strike "issue" and in lieu thereof insert: "~~issue~~ **issuance**"; line 35, after "and" and before "be", insert: "**said bonds or warrants shall**"; lines 36 and 37, strike: "of the bonds" and in lieu thereof, insert "~~of the bonds~~".

LEGISLATIVE BILL 400. Replaced on Select File with amendments.

E and R amendments to L. B. 400:

1. In Select File amendment by Mr. Crosby, adopted May 10th, at the beginning of the inserted matter, strike "Section" after the quotation mark and before "7" and in lieu thereof insert "Sec."; 2nd line, after "corporation" and before "organized" insert a comma; 6th line, strike the quotation mark before "General"; 7th line, strike "'" before "cessation" and also after "hostilities" and in lieu thereof insert quotation marks; 8th and 9th lines, strike: ", Legislature of Nebraska" and in lieu thereof insert: "of the Nebraska State Legislature, 1943.". In the line with reference to renumbering the section following, strike "Section" before the figure "7" and also before "8" and in lieu thereof, insert "Sec.".

LEGISLATIVE BILL 79. Replaced on Select File with amendments.

E and R amendments to L. B. 79:

(a) In Select File amendment No. 1, by Mr. James H. Anderson, 2nd line, after the comma and before "and", insert: "except "Section 1." at the beginning of line 1."

(b) In Select File amendment No. 2, by Mr. James H. Anderson, at the end of the 1st line, insert: "and all amendments thereto,".

(Signed) James H. Anderson, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 35. Appreciation, George Mason

Introduced by Frank Sorrell

WHEREAS, George Mason, until his recent illness, was a faithful daily attendant at all sessions held by the Unicameral Legislature since its first organization and also for many sessions of the Bicameral Legislature; and

WHEREAS, he had a vast store of practical and useful information of which the members of this Legislature on many occasions had opportunity to and did avail themselves; and

WHEREAS, his wise counsel and advice was given freely and impartially, without attempting to lobby for any particular interest; and

WHEREAS, the members of this Legislature keenly regret his inability to be present in his usual place;

NOW THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE LEGISLATURE:

1. That the absence of George Mason, a respected and honored adviser of members of the Legislature be noted, and the hope be expressed that he may soon resume his former place at the sessions of this Legislature.

2. That a copy of this resolution, suitably engrossed, be sent to Mr. Mason at his home.

Mr. Sorrell moved that the rules be suspended and the resolution adopted.

The motion prevailed unanimously.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 386.

A bill for an act to amend section 86-301, C. S. Supp., 1941, and section 86-303, Compiled Statutes of Nebraska, 1929, relating to telephone and telegraph companies and persons, associations and corporations engaged in the generating or transmitting of electric current for sale, use or purchase; to provide for restrictions and regulations by the Department of Roads and Irrigation for the construction, operation, maintenance, removal and relocation of all telephone and telegraph lines and transmission lines, carrying electric current for power or other purposes, along, upon, across, or under state and federal highways; to provide that if the future use of such highways require the moving or relocation of said facilities, the same shall be done by and at the expense of the owner thereof; to provide that all wires of such lines shall be placed at least eighteen feet above all road crossings, instead of at least twenty feet; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 7:

Cullingham
Doyle
Garber
Norman
Osborne
Rakow
Tvrdik

LEGISLATIVE BILL 194. With emergency clause.

A bill for an act to amend section 66-812, C. S. Supp., 1941, relating to the definition of terms pertaining to the transportation of motor vehicle fuels, as defined by the laws of this state, kerosene, distillate, other petroleum products of a highly inflammable character; to provide that a straight truck, a trailer or a semi-trailer with a tank body mounted thereon, which tank body has a capacity greater than that specifically exempted by section 66-811, C. S. Supp., 1941, shall constitute one vehicle; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thompson
Weborg

Voting in the negative, 0.

Not voting, 7:

Cullingham
Doyle
Garber
Norman
Rakow
Thomas
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 112.

A bill for an act to amend sections 32-1601, 32-1602 and 32-1603, Compiled Statutes of Nebraska, 1929, relating to elections; to prescribe procedure concerning the certificate of appointment for electors of President and Vice President and the time, place and procedure for the meeting of the college of electors to elect a president and vice president; to provide the procedure for filling vacancies in the college of electors; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Cullingham
Doyle
Jeppesen
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 242.

A bill for an act to amend section 81-106, C. S. Supp., 1941, relating to the duties of the Tax Commissioner; to provide that the Tax Commissioner shall annually examine and audit the books, accounts, vouchers, records and expenditures of the Auditor of Public Accounts and report promptly to the Governor the result of such examination and audit; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Crossland
Dooley
Jeffords
Jeppesen
Ogden
Osborne

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Cullingham
Doyle
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 415. E and R amendments, found in the Legislative Journal for the Eighty-ninth Day, were adopted.

Mr. Lee offered the following amendment, which was adopted by unanimous consent:

Strike Standing Committee amendment 9, so as to reinstate section 11, and then amend page 5 of the bill, section 11, by striking lines 14 to 18, and substituting the following in lieu thereof:

"issue of the amended lease, except that in no case shall the amended lease be granted for a longer period than seven years from the date of issue of the amended lease. Such amended lease shall provide for an increase of twenty-five cents per acre over the amount of the annual delay rental specified in the former lease."

Referred to E and R for engrossment.

LEGISLATIVE BILL 153. E and R amendments, found in the Legislative Journal for the Eighty-ninth Day, were adopted.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

1. Amend page 8 of the bill, section 20, as amended, by inserting after the Greenamyre amendment of May 3, 1943, found on page 1220 of the Journal, the following additional matter:

"In no event shall the amount expended by the Auditor of Public Accounts in carrying out the provisions of this act exceed the sum of three thousand dollars during any biennium."

Referred to E and R for engrossment.

LEGISLATIVE BILL 299. E and R amendments, found in the Legislative Journal for the Eighty-ninth Day, were adopted.

Referred to E and R for engrossment.

REQUEST—For Unanimous Consent

Mr. Gutoski asked that unanimous consent be granted to return L. B. 244 to Select File for specific amendment.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 296. Mr. Craven offered the following amendments, which were adopted:

Amend Section 5, of the Standing Committee Amendments to Legislative Bill 296 by striking the entire section and inserting in lieu thereof the following:

"Amend the bill, pages 4 to 9, inclusive, by renumbering sections 5 to 20, inclusive, as sections 1 to 16, inclusive."

Amend Amendment 6 of the Standing Committee Amendments to Legislative Bill 296 by striking out the entire section and inserting in lieu thereof a new section 6 of the Standing Committee Amendments and a new section 1 of the bill as follows:

"Any industrial loan and investment company may contract and receive on any loan charges including interest at graduated rates, not exceeding three per cent per month on that part of the unpaid principal balance on any loan not in excess of fifty dollars; not exceeding one and one half per cent per month on that part of the unpaid principal balance on any loan in excess of fifty dollars and not in excess of five hundred fifty dollars; not exceeding three-fourths of one per cent per month on that part of the unpaid principal balance on any loan in excess of five hundred fifty dollars and not in excess of five thousand dollars; Provided, that such graduated rates shall be computed strictly as simple interest on the unpaid principal balance for the time actually outstanding."

Amend by striking out all of section 10 of the printed bill which is now numbered section 6 of the bill as amended and inserting in lieu thereof the following as section 6:

"All charges based upon due performance of the loan contract and computed as provided in section 1 of this act may be included in the face of the note and in the amount of any installment scheduled to be repaid by the borrower; Provided, however, that the borrower may prepay the loan in whole or in part at any time, and in case of such prepayment whether by payment in cash,extension, renewal, or otherwise, the full unearned portion of the pre-computed charges shall be cancelled in such an amount that the charges paid by the borrower will not exceed the rates contracted for applied to the unpaid principal balance for the time actually outstanding, except that the charges retained may be increased to the extent that delinquency charges are computed in accordance with the monthly percentage agreed rate, either on a prepaid loan or a loan paid at maturity or after maturity. Payment of any installment seven days or less prior to date of maturity shall not be deemed prepayment and payment of any installment seven days or less after maturity shall not subject the borrower to additional interest."

1. Amend Sec. 7, page 4, line 10 of the printed bill, which is Sec. 3, page 4, line 10 of the bill as amended by striking out the figure "5" and inserting in lieu thereof the figure "1".

2. Amend Sec. 7, page 5, line 18 of the printed bill which is Sec. 3, page 5, line 18 of the bill as amended by striking out the figure "5" in line 18 thereof and inserting the figure "1" in lieu thereof.

3. Amend Sec. 8, page 5, line 13 of the printed bill which is Sec. 4, page 5, line 13 of the bill as amended by striking out the figure "5" and inserting the figure "1" in lieu thereof.

4. Amend Sec. 8, page 5, lines 9 and 13 of the printed bill which is Sec. 4, page 5, lines 9 and 13 of the bill as amended by striking out the figure "5" in each of said lines and inserting the figure "1" in lieu thereof.

5. Amend Sec. 9, page 5, line 1 of the printed bill which is Sec. 5, page 5, line 1 of the bill as amended by striking out the word "section" and inserting in lieu thereof the word "Act".

6. Amend Sec. 12, page 6, line 2 of the printed bill which is Sec. 8, page 6, line 2 of the bill as amended by striking out the figure "5" and inserting in lieu thereof the figure "1".

7. Amend Sec. 13, page 7, line 6 of the printed bill which is Sec. 9, page 7, line 6 of the bill as amended by striking out the figure "5" and inserting the figure "1" in lieu thereof.

8. Amend Sec. 15, page 7, line 5 of the printed bill which is Sec. 11, page 7, line 5 of the amended bill by striking out the word "section" and inserting in lieu thereof the word "Act".

9. Amend Sec. 16, page 7, line 1, of the printed bill which is Sec. 12, page 7, line 1 of the bill as amended by striking out the word "section" and inserting in lieu thereof the word "Act".

10. Amend Sec. 19, page 8, line 3 of the printed bill which is Sec. 15, page 8, line 3 of the bill as amended by striking out the figures and words "5 to 15" and inserting thereof the figures and words "1 to 14", inclusive.

11. Amend Sec. 19, page 8, line 4 of the printed bill which is Sec. 15, page 8, line 4 of the bill as amended by striking out the word "section" and inserting the word "Act" in lieu thereof.

12. Amend Sec. 19, page 8, line 10 of the printed bill which is Sec. 15, page 8, line 10 of the bill as amended by striking out the word "section" and inserting in lieu thereof the word "Act."

Mr. Crosby offered the following amendment, which was adopted:

Amend Sec. 10, as amended, by striking from line 3 of the amendment submitted by Mr. Craven the words "in the face of the note and".

Mr. Peterson offered the following amendment, which was adopted:

Amend page 7 of the printed bill, section 15, lines 5 to 8, inclusive, by striking the words "Every advertisement which states a charge" in line 5, and all of lines 6, 7 and 8, and substituting in lieu thereof the following:

"The Department of Banking may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as it may deem necessary to prevent misunderstanding thereof by prospective borrowers."

Standing Committee amendments numbered 1, 2, 3 and 7, found in the Legislative Journal for the Forty-fifth Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend the title to conform to the amended bill.

Referred to E and R for review.

SELECT FILE (Continued)

LEGISLATIVE BILL 95. Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

Amend the bill to make same conform to the requirements of legislative bill 322, fifty-sixth session of the Nebraska State Legislature, 1943.

Amend section 1 of the Standing Committee amendments, line 25, by striking the same, and inserting in lieu thereof:

"each $3,000.00	$105,000.00	$210,000.00"

Amend bill 95 to make same conform to and carry out the purpose of legislative bills 421 and 407, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 1 of the Standing Committee amendments, by inserting after line 38, a new line reading as follows:

"Deputy attorney general	4,200.00	8,400.00".

2. Amend section 1 of the Standing Committee amendments, line 42, by striking the figures "2,640.00" and "5,280.00" and inserting in lieu thereof the figures "3,300.00" and "6,600.00" respectively.

Referred to E and R for engrossment.

LEGISLATIVE BILL 96. Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

Amend legislative bill 96, to make same conform to and carry out the purpose of legislative bill 368, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 9 of the Standing Committee amendments, by inserting after line 10, the following matter:

"Expense of administration of legislative bill 368, fifty-sixth session of the Nebraska State Legislature, 1943, 2,000.00".

Amend legislative bill 96, to make same conform to and carry out the intent of legislative bill 35, fifty-sixth session of the Nebraska State Legislature, 1943.

Amend section 9, line 49, by inserting after the parenthesis following the word "Fund" the following: ",reappropriate unexpended balance in Brand Book Fund, Auditor Account 69D, and then appropriate".

Amend legislative bill 96 to make same conform to and carry out the intent of legislative bills 252 and 100, fifty-sixth session of the Nebraska State Legislature, 1943.

1. Amend section 1 of the Standing Committee amendments, by inserting after line 64, the following:

"36. Nebraska Brand Committee

37. State Real Estate Commission"

2. Amend section 1 of the Standing Committee amendments, lines 66, 69, 70, 71, 73, 74, 75, 76, 78, 79, 81, 83, 84, 86, 88, 89 and 90, by changing the section numbers appearing in said lines respectively to 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54.

3. Amend section 9 of the Standing Committee amendments, by striking lines 12 to 14, inclusive, and substituting the following in lieu thereof:

"Real Estate Commission Fund. Appropriate balance on hand on June 30, 1943, in auditor account number 65 and all fees collected during the period commencing July 1, 1943, until the effective date of legislative bill 100, fifty-sixth session of the Nebraska State Legislature, 1943, to be used, together with the appropriation made for the State Real Estate Commission, for the following purposes:".

4. Amend section 9 of the Standing Committee amendments, by striking all of lines 32 and 34, inclusive, and substituting the following in lieu thereof:

"Preventive Fund, appropriate balance on hand on June 30, 1943, in auditor account number 63 and all fees collected during the period commencing July 1, 1943, until the effective date of legislative bill 252, fifty-sixth session of the Nebraska State Legislature, 1943, to be used, together with the appropriation made for the Nebraska Brand Committee,".

5. Amend the Standing Committee amendments, by inserting after section 35, line 12, two new sections reading as follows:

"Sec. 36. NEBRASKA BRAND COMMITTEE.

Appropriate from Licenses, Fees and Cash Funds. Appropriate the unexpended balance on hand on the effective date of legislative bill 252, fifty-sixth session of the Nebraska State Legislature, 1943, and all fees collected after the effective date of said act during the remainder of the biennium ending June 30, 1945, to be used for the purposes set out in the appropriation made for the Real Estate Commission Fund set out in section 9 of this act."

"Sec. 37. STATE REAL ESTATE COMMISSION.

Appropriate from Licenses, Fees and Cash Fund. Appropriate the unexpended balance on hand on the effective date of legislative bill 100, fifty-sixth session of the Nebraska State Legislature, 1943, and all fees collected after the effective date of said act during the remainder of the biennium ending June 30, 1945, to be used for the purposes set out in the appropriation made for the Nebraska Brand Inspection and Theft Fund set out in section 9 of this act."

6. Amend pages 23 to 29, inclusive, of the Standing Committee amendments by renumbering sections 36 to 52, inclusive, as sections 38 to 54, inclusive.

Amend legislative bill 96 to make same conform to and carry out the purpose of legislative bill 153, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 10 of the Standing Committee amendments, by inserting after line 34, the following:

"Wages and expenses of administration of legislative bill 153, fifty-sixth session of the Nebraska State Legislature, 1943, 3,000.00".

Amend legislative bill 96, to make same conform to and carry out the purpose of legislative bill 416, fifty-sixth session of the Nebraska State Legislature, 1943.

1. Amend section 10 of the Standing Committee amendments, line 31, by striking the figures "32,000.00" and substituting in lieu thereof the figures: "38,000.00".

2. Amend section 10 of the Standing Committee amendments, line 34, by striking the figures "25,000.00" and substituting in lieu thereof the figures: "30,000.00".

1. Amend section 11 of the Standing Committee amendments, lines 3 and 4, by striking the words "including salary of deputy attorney general,".

2. Amend section 11 of the Standing Committee amendments, line 8, by striking the figures "33,000.00" and substituting in lieu thereof the figures: "24,600.00".

3. Amend section 11 of the Standing Committee amendments, lines 7 and 8, as amended by the amendment 10 adopted April 14, 1943, and found on page 993 of the Journal, by striking the figures "$4,500.00" appearing after the words "Board of Educational Lands and Funds," and inserting in lieu thereof: "$14,500.00".

Amend legislative bill 96 to conform to and carry out the purpose of legislative bill 188, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 13 of the Standing Committee amendments, by inserting after line 60 the following:

"Tuition, children whose parents are in the United States army, navy or marine corps on duty in the State of Nebraska, reappropriate the unexpended balance as of June 30, 1943, in auditor account number E-108, arising out of legislative bill 188, fifty-sixth session of the Nebraska State Legislature, 1943, not to exceed 50,000.00".

Amend legislative bill 96 to conform to and carry out the provisions of legislative bill 410, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 17 of the Standing Committee amendments, by inserting after line 3, the following:

"To carry out the provisions of legislative bill 410, fifty-sixth session of the Nebraska State Legislature, 1943; including purchase and installation of postage metering machine and necessary equipment, $1,767.23; and including salaries, maintenance, meter rental and supplies for central mailing office, $3,450.00 5,217.23".

Amend legislative bill 96 to make same carry out the purpose of legislative bill 251, fifty-sixth session of the Nebraska State Legislature, 1943, in the following particulars:

Amend section 18 of the Standing Committee amendments, line 72, by inserting after the punctuation following the word "hotels" the following:

"fees collected from frozen food locker plants under legislative bill 251, fifty-sixth session of the Nebraska State Legislature, 1943;".

Amend legislative bill 96 to make same conform to and carry out the provisions of legislative bill 219, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 22 of the Standing Committee amendments, by inserting after line 23, the following:

"Boiler inspection, administration and enforcement, appropriate all fees collected under legislative bill 219, fifty-sixth session of the Nebraska State Legislature, 1943, during the biennium plus any unexpended balance on hand June 30, 1943, no estimate".

Amend legislative bill 96, to make same conform to and carry out the intent of legislative bill 174, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 28 of the Standing Committee amendments, line 29, by striking the same and inserting in lieu thereof: "sale of hunting, trapping, fishing and bait vendors' permits".

Amend legislative bill 96 to make same conform to and carry out the provisions of legislative bill 433, fifty-sixth session of the Nebraska State Legislature, 1943:

1. Amend section 31 of the Standing Committee amendments, line 7, by inserting after the figures and punctuation "1943", the following: "reappropriate out of the unexpended balance as of June 30, 1943, arising out of legislative bill 433, fifty-sixth session of the Nebraska State Legislature, 1943, not to exceed".

2. Amend section 31 of the Standing Committee amendments, line 10, by inserting after the figures and punctuation "1943", the following: "reappropriate out of the unexpended balance as of June 30, 1943, arising out of legislative bill 433, fifty-sixth session of the Nebraska State Legislature, 1943, not to exceed".

Amend legislative bill 96 to make same conform to and carry out the purpose of legislative bill 423, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 38 of the Standing Committee amendments in line 19, by inserting after the word "maintenance" the following:

"Reappropriate unexpended balance as of June 30, 1943, in auditor account number E-445, then appropriate".

Mr. Greenamyre offered an amendment regarding an appropriation for L. B. 166 and asked that it be adopted by unanimous consent.

Objection was raised by Mr. Mekota.

The amendment was withdrawn.

Recess

At 11:58 a.m. on motion by Mr. Greenamyre, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m. President Johnson presiding.

The roll was called and all members were present.

SELECT FILE

LEGISLATIVE BILL 96. Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

Amend legislative bill 96 to make same conform to and carry out the intent of legislative bill 284, fifty-sixth session of the Nebraska State Legislature, 1943:

Amend section 39 of the Standing Committee amendments, by inserting after line 8, the following: "College of Agriculture, the amount appropriated by legislative bill 284, fifty-sixth session of the Nebraska State Legislature, 1943, not to exceed 25,000.00".

Amend section 39 of the Standing Committee amendments, line 5, by inserting after the word "Division" the following: ", reappropriate unexpended balance as of June 30, 1943, then appropriate".

Amend section 15 of the Standing Committee amendments, by inserting after line 22, the following:

"Salaries and expense for litigation, recovery of compensation for taking of school land for which no condemnation proceedings were had or awards paid, including not to exceed $1,800.00 for salaries and wages other than of the office of the Attorney General, including not to exceed $2,160.00 for office expense and expense of part time surveyor, including not to exceed $10,000.00 for salary and expense of office of Attorney General, and court costs 13,960.00".

In connection with the last above amendment, the Clerk read the following:

REPORT—Committee on Appropriations

May 7, 1943

The Appropriations Committee was called to order at one o'clock p.m. pursuant to the call of the chairman. Present Senators: Senators Reavis, Tvrdik, Norman, Heiliger, Brodahl, Mueller, Hanna, Garber, Crossland, Jeffords and Greenamyre.

The purpose for which the meeting was called was by reason of a request made by the Department of Educational Lands and Funds and the office of the Attorney General by reason of the condition presenting itself concerning the permanent school land funds of the State of Nebraska.

On April 2, 1943, the Supreme Court filed the opinion in the case of State ex rel. Johnson v. The Central Nebraska Public Power and Irrigation District which opinion is reported in 12 S. C. J. 288. A copy of a memorandum prepared by the attorney general's office concerning the question involved now presenting itself by reason of this opinion is attached hereto.

The Department of Lands and Buildings and the attorney general's office appeared at said hearing and presented the question involved which as stated by the department heads is: The school lands in the State of Nebraska have been taken and used by railroad companies, the Department of Highways and Irrigation, and by public power districts without condemnation proceedings having been instituted or filed and without compensation having been paid to the permanent school fund for the acquisitions of said lands.

The office of the attorney general suggested that approximately 111 suits will be necessary to determine and collect the amounts due to the permanent school fund for the school lands heretofore taken; that the estimated expense incidental to the commencing of this work is estimated as follows: Salary of additional part time surveyor $1800; traveling expenses of part time surveyor $1800; additional office expense $360; and court costs, salary of deputy attorney general, traveling expense, witness fees and other court costs $10,000. The estimates recommended are only estimated amounts for the work which can be commenced and accomplished during the biennium from July 1, 1943, to and including July 1, 1945. It is not expected that this work can be completed during the next biennium and it is felt that any funds which may be necessary after the next biennium should be left for the next session of the Legislature to determine.

Both departments stated to the committee that while it was impossible to determine the exact amount of recovery which will be had, that a very conservative estimate of recovery would be at least $300,000 in funds due to the permanent school fund.

After full hearing by the committee, by a motion duly made and seconded, the committee by unanimous vote recommended to the Legislature an increase of the appropriation for the Board of Educational Lands and Funds in the following amounts: For Salary and wages of part time surveyor $1800; for maintenance, including expense of part time surveyor, and additional office expense $2160; and for salary and expense for litigation the sum of $10,000, and have prepared and offer herewith amendments in accordance with their conclusions and recommendations.

MEMORANDUM In Re School Lands Taken by Irrigation Districts, Railroad Companies, Highways, Without Compensation

Under date of April 2, 1943, the Supreme Court filed its opinion in the case of State ex rel. Johnson v. The Central Nebraska Public Power and Irrigation District, said opinion being reported in 12 S. C. J. 288. In said case the court held that the statutes which gave to public power and irrigation districts the right to construct their canals, reservoirs, etc. upon the school lands of the state without compensation were unconstitutional and void. The court held:

"The legislature is without power to make a grant in fee of, or an easement over, public school lands without compensation for the damage for such taking or use.

"The state as trustee is without power through legislative means or otherwise to bestow a special benefit upon the defendant or any other person or corporation, public, or private, at the expense of the cestui que trust, the public school system of the state."

It follows from the holding in the above case that the right of way across school lands cannot be donated to railroad companies or other private corporations and it is our opinion that the legislature is without power to grant right of way to build highways across school lands at least where such highways do not follow section lines. While the statutes provide a method whereby railroads may acquire the right of way across school lands through condemnation, a great deal of such land has been taken without compensating the school fund.

Mr. Hugh Dillon, State Surveyor, has made a brief preliminary search to determine the amount of school lands which have been taken without compensating the school fund. Mr. Dillon in his report states that the same is incomplete and that it will require considerable time in order to make a complete search in the matter. His report states that he has determined that railroad companies have taken land for right of way purposes in 134 sections in 37 different counties. The Department of Roads and Irrigation has taken land for right of way purposes across school lands (not including highways built on section lines) in 107 sections in 39 different counties. Irrigation districts have taken land for canals, reservoirs and drainage ditches in 56 sections in 12 different counties.

This report does not include lands that were later deeded to private individuals and it is estimated that when a search has been made to determine this that it will double the amount of land taken as far as railroad companies are concerned. In Chicago, B. & Q. R. Co. v. Englehart, 57 Neb. 444, 77 N. W. 1092, our court held that the purchaser of school lands upon which the railroad companies had acquired an easement could not collect for such easement. The court did say this, however:

"The right of the state to permit a railroad company to go upon its lands and construct and operate a line of road thereon cannot be seriously questioned. It is possible that the right to compensation for such privilege cannot be waived or abandoned, but if it cannot, then the state may enforce such right whenever it chooses to do so."

This authority, together with the ruling of the court in State v. The Central Nebraska Public Power and Irrigation District, supra, would seem to establish without question of a doubt the right of the state to now collect for lands taken by railroad companies without compensation even though such lands have later been deeded.

The matter of collecting for these lands so taken has thrown an additional burden upon this office and upon the office of the Board of Educational Lands and Funds. Even with combining the lands taken by any particular railroad or irrigation district, etc., within one county, in one action, it seems apparent that no less than 150 separate lawsuits will be required. It is difficult to estimate the cost of this during the next biennium but there will be considerable expense and court costs, traveling expenses, witness fees, etc. and additional expenses will be necessary for the State Surveyor since it will be necessary that a survey be made of all the lands taken which perhaps will necessitate the help of an assistant to the State Surveyor.

It is impossible to determine at this time the amount that the school fund will be enhanced as a result of this decision of our court, but it is our opinion that such sum will amount to several hundred thousand dollars.

Mr. Greenamyre offered the following amendment which was adopted by unanimous consent:

1. Amend section 20 of the Standing Committee amendment by striking all of lines 35 to 38, inclusive.

2. Amend section 20 of the Standing Committee amendment by inserting after line 59 the following:

"Human tuberculosis, state survey, reappropriate unexpended balance as of June 30, 1943, in auditor account number 161, then appropriate from the unexpended balance as of June 30, 1943, in auditor account 165 15,500.00

Control of venereal diseases and expense of administration of legislative bills 40 and 41, fifty-sixth session of the Nebraska State Legislature, 1943, appropriate from the unexpended balance as of June 30, 1943, in auditor account 165 30,000.00".

In connection with the last above amendment, the Clerk read the following:

STATEMENT—Committee on Appropriations

The Committee on Appropriations met at the Governor's Hearing Room, Capitol Building, April 29, 1943, at 1:00 o'clock p.m. for the purpose of holding public hearing upon motions offered and to be offered by Senator C. Petrus Peterson and Joseph Reavis, to the general appropriations bill, L. B. 96, Section 20, Department of Health, which meeting was adjourned at 3:00 o'clock p.m. until Monday evening, May 3, 1943, at 8:00 o'clock p.m., for further hearing. The committee in adjourned hearing at said time and place, met and concluded its public hearing.

After said public hearings, on said last mentioned date at said place, in executive session, took the following action, and make the following recommendations to the Legislature on the matters so presented.

Motion No. 1

Said motion read as follows:

"I move to amend Section 20 of Standing Committee Amendment Lines 60 and 61 by striking the following: "$10,000 from" and by inserting between lines 64 and 65 the following: "said funds shall be available for laboratory expense, communicable disease control and health services".

There will be approximately $90,000 unexpended balance in the Vital Statistics account which under the appropriations bill as recommended by the committee will lapse into the General Fund in the State Treasury as of July 1, 1943. The Department of Health, by the proposed motion, wishes to have the balance, which on May 3, 1943, was $97,588.25 appropriated for the purpose of public health services, laboratory expense, and communicable disease control.

After full consideration of the request, after public hearing, the Appropriations Committee recommends to the Legislature that the motion not be adopted.

Motion No. 2

Said motion read as follows:

"I move to amend Section 20 of Standing Committee Amendment to L. B. 96, by inserting between lines 69 and 70 the following, as an appropriation from "General Fund Property Tax Levy" an additional item as follows: "control of Venereal diseases and expenses of administering L. B. 40 and L. B. 41, enacted by the 1943 session of the Legislature, $30,000."

After consideration of the Motion, after public hearing, the committee adopted the following recommendation to the Legislature:—That $30,000 be appropriated for control of Venereal disease and administration of L. B. 40 and L. B. 41, and that said sum be appropriated from unexpended balance in Vital Statistics Account, Auditors Account No. 165, as of June 30, 1943.

After discussion, the committee adopted a motion duly seconded, directing the introduction of a Legislative bill or bills which, if enacted into law, will prohibit any charge on fee being charged by any doctor or other person taking blood for the purposes provided for and intended by L. B. 40 and L. B. 41, in excess of $1.00 per person for each taking of blood.

Motion No. 3

Said motion read as follows:

"I move to amend L. B. 96, Section 20, Line 38, of Standing Committee Amendment by striking the figure $8,000 and by inserting in lieu thereof the figure "30,000".

After consideration of the Motion, after public hearing, the Committee adopted the following recommendation to the Legislature:—That $15,500, plus the unexpended balance in Auditor's Account No. 161, be appropriated for the survey of human tuberculosis, to be appropriated from the unexpended balance in the Vital Statistics Account, Auditor's Account No. 165, as of June 30, 1943.

The Committee adopted all action taken by unanimous vote. The Committee feels that no further state property tax or cash funds should be used for the purposes requested, other than those provided in the Committee amendments to L. B. 96, and as herein recommended, for the Department of Health, for the reasons that it is felt that the public health services should not be expanded beyond the work which can be accomplished by funds made available by the bill, and as recommended herein, and such federal funds as will be made available to the department, for public health work.

Amendments to comply with the recommendations herein, and Legislative bills to provide for the amendments to be made under L. B. 40 and L. B. 41, are made a part of this report.

Referred to E and R for engrossment.

BILLS ON FIRST READING

The following bills were read the first time by title:

LEGISLATIVE BILL 441. By Appropriations Committee, H. G. Greenamyre of Madison, Chairman.

A bill for an act to amend section 1 of legislative bill 40, fifty-sixth session of the Nebraska State Legislature, 1943, relating to premarital examinations and public health; to provide for the maximum charge that may be made for making of a premarital examination under the terms of this act; and to repeal the original section.

LEGISLATIVE BILL 442. By Appropriations Committee, H. G. Greenamyre of Madison, Chairman.

A bill for an act to amend legislative bill 41, fifty-sixth session of the Nebraska State Legislature, 1943, relating to the prevention of congenital syphilis; to provide for the maximum charge that may be made for the making of a prenatal examination under the terms of this act; and to repeal the original act.

Mr. Greenamyre moved that the rules be suspended and Legislative Bills 441 and 442 be placed on General File.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL 443. By Appropriations Committee, H. G. Greenamyre of Madison, Chairman.

A bill for an act to repeal Legislative Bill 201, Fifty-Sixth Session of the Nebraska Legislature, relating to appropriation of six thousand five hundred dollars for the Board of Control to purchase certain land; and to declare an emergency.

Mr. Greenamyre moved that the rules be suspended and L. B. 443 be placed at the head of Special File.

The motion prevailed with 31 ayes, no nays, 12 not voting.

LEGISLATIVE BILL 444. By Committee on Labor and Public Welfare, George I. Craven of Lancaster, Chairman.

A bill for an act to amend section 48-205, C. S. Supp., 1941, relating to labor; to regulate the hours of employment of females in cities of the metropolitan and cities of the first class; to provide that any female employed in a manufacturing plant engaged in the manufacture of products designed to aid in the prosecution of the war in which the United States is now engaged may work more than nine hours in any one day not oftener than once every two weeks; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 445. By Committee on Labor and Public Welfare, George I. Craven of Lancaster, Chairman.

A bill for an act to amend section 83-506, Compiled Statutes of Nebraska, 1929, relating to the Board of Control; to provide that the Board of Control, through its authorized agent, may consent to the adoption of any child of an unmarried mother who has executed a written relinquishment of such child to the Board of Control; and to repeal the original section.

Mr. Craven moved that the rules be suspended and that Legislative Bill 445 be placed on General File.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE BILL 444. Referred to Committee on Labor and Public Welfare.

MOTION—Hearing Date

Mr. Craven moved that the rules be suspended and that L. B. 444 be set for hearing before the Committee on Labor and Public Welfare on Monday, May 17, 1943, at 1:30 p.m. and that a report be made at once to the Legislature.

The motion prevailed with 31 ayes, no nays, 12 not voting.

NOTICE OF COMMITTEE HEARING

L. B. 444, Monday, May 17, 1943, 1:30 p.m.

SELECT FILE (Continued)

LEGISLATIVE BILL 244. Mr. Gutoski offered the following amendment, which was adopted by unanimous consent:

Amend by adding an emergency clause section and amend the title accordingly.

Referred to E and R for engrossment.

REQUEST—For Unanimous Consent

Mr. Matzke asked for unanimous consent to return L. B. 72 to General File for the following specific amendment:

Amend Matzke amendment by striking "in and owning lines" and substituting in lieu thereof ", owning lines, or operating and owning lines,".

Strike the word "other" and insert "public" in last line.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 443. Mr. Greenamyre moved that the rules be suspended and the bill be referred to E and R for engrossment.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE BILL 43. Mr. Peterson asked unanimous consent to waive reading the bill.

Objection was made by Mr. Greenamyre.

Read and considered.

Mr. James H. Anderson presiding

Mr. Greenamyre moved that the Legislature not concur in or adopt the Standing Committee amendments to L. B. 43.

Laid over until Friday morning.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 35.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 155. Correctly engrossed.

LEGISLATIVE BILL 238. Correctly engrossed.

LEGISLATIVE BILL 214. Placed on Select File with amendments.

E and R amendments to L. B. 214:

1. In Standing Committee amendment No. 1, 1st line, before "and inserting", insert "and in lieu thereof insert a comma".

2. In Standing Committee amendment No. 3, 4th line, strike the period after "vehicles" and before the quotation mark, and in lieu thereof insert a semicolon.

3. In Standing Committee amendment No. 3-a, 2nd line, strike the period after "22" and in lieu thereof insert "and insert a period".

4. In Standing Committee amendment No. 4, strike the comma and in lieu thereof insert ";" in the 5th line after "counties", 6th line after "licenses", 8th line after "Irrigation"; 6th line, strike ", and for

the" and in lieu thereof insert "; and for the"; 7th line, strike "and" after "article," and in lieu thereof insert "and"; 8th line, after "and" and before "as" insert ","; 10th line, after "agent" insert ";".

5. In Standing Committee amendment No. 6, 1st line, strike: "the word "title" ." and in lieu thereof insert " "title." "; insert "**,**" in the 2nd line after "**clerk**", 4th line after "**lien**", 5th line after "**clerk**", also after "**notice**", 7th line after "**lien**", 8th line after "**title**", 9th line after "**clerk**"; 5th line, before "**date**" insert "**the**"; 6th line, after "**lien**" and before "**,**" insert "**and**"; 8th line, after "**of**" and before "**certificate**" insert "**a**"; 10th line, after "**from**" insert "**the**", and in said line, strike "**of notice**".

6. In Standing Committee amendment No. 9, page 1, show the dotted lines in the 3rd and 5th lines as stricken matter, also "By....." in the 7th line; page 2, 1st line, after "**manufacturer's**" insert "or importer's" and after "**form:**" at the end of said line, and before "**MANUFACTURER'S**" in the next line, insert, as stricken matter, beginning with "MANUFACTURER'S OR IMPORTER'S CERTIFICATE" on page 13, and ending with "...................." on page 14; page 3,
(Notary Public)
after "APPLICATION FOR MEMORANDUM CERTIFICATE" show all dotted lines as stricken matter, and in the 6th line from the bottom of the page, strike "Met. No." and in lieu thereof insert "Meter No." and strike "Yr. Made" and in lieu thereof insert "Year Made".

7. In the bill, Section 1, page 2, line 9, strike the comma before "nor" and in lieu thereof insert ";"; insert "," in line 16 after "state" and in line 17 after "act" and before "unless".

8. In the bill, Section 2, pages 2 and 3, lines 5 and 6, strike "by him in his" and in lieu thereof insert: "by him in his **such**"; lines 8 and 9, strike "his seal" and in lieu thereof insert: "his **the official seal of such officer**"; line 9, strike the comma after "title" and in lieu thereof insert ";"; line 10, strike "shall" and in lieu thereof insert "shall"; line 17, strike "**to**" and in lieu thereof insert "**shall**"; line 18, strike "**his**" and in lieu thereof insert "**or the**"; line 19, after "**agent**" insert "**of such officer,**"; and in said line, after "**applicant**" insert "**,**"; lines 25 and 26, strike: "and such numbering shall be in such", and in lieu thereof insert: "and such numbering shall be in such a"; at the end of line 27 insert "**(a)**"; lines 29 and 30, strike ". The county clerk shall", and in lieu thereof, insert: "; The county clerk shall **, (b)**"; lines 32 and 33, strike: "and shall maintain in his", and in lieu thereof insert: "and shall **(c)** maintain in his **said**";

lines 33 and 34, strike: ". The county clerk", and in lieu thereof insert: "~~.~~ ~~The county clerk~~ **and (d)**".

9. In the bill, Section 3, pages 4 and 5, line 10, strike "shall" and in lieu thereof insert "~~shall~~"; line 12, strike "and" at the end of the line, and in lieu thereof insert: "~~and~~ **. They**"; line 23, strike "it shall be its" and in lieu thereof insert "~~it shall be its~~"; insert "," in line 24 after "title", line 30 after "thereon"; line 26, strike "same," and in lieu thereof insert "**the** same ~~,~~"; line 27, strike "his records" and in lieu thereof insert: "~~his~~ **the** records **of such office**"; line 31 strike "shall" and in lieu thereof insert "~~shall~~"; line 38, after "cancel" insert "**the**"; line 40, strike the comma after "tags" and in lieu thereof insert "~~,~~"; line 46, strike "or" and in lieu thereof insert "~~or~~ ,"; strike the comma and in lieu thereof insert "~~,~~" in line 44 after "forms" and in line 47 after "dealers".

10. In the bill, Section 4, pages 5, 6 and 7, lines 5 and 6, strike: "the provisions of Sec. 36-209 Comp. St." and in lieu thereof insert: "~~the provisions of Sec.~~ **section** 36-209 ~~Comp. St.~~ **, C. S.**"; strike the comma and in lieu thereof insert "~~,~~" at the end of line 13 after "contract", line 29 after "thereof", line 32 after "owner", line 38 after "issued"; line 18, strike ", or" and in lieu thereof insert "~~,~~ or ,"; insert "," in line 19 after "title", line 21 after "mortgagor", line 25 after "encumbrances", line 26 after "title", line 45 after "Irrigation", line 68 after "**clerk**"; line 42, strike "his signature and" and in lieu thereof, insert: "**the** ~~his~~ signature **of such officer or deputy** and **the**"; line 43, strike "he shall" and in lieu thereof insert "~~he shall~~"; line 44, strike "in his" and in lieu thereof insert "~~in his~~ **on**"; line 66, after "**his**" insert "**, her or its**"; strike "**shall**" at the beginning of line 67, and in said line, strike "**the**" after "**and**"; strike all of line 70 and in lieu thereof insert: "**on the records of such office and on the same day notify the**"; line 74, after "**on**" insert "**the**"; lines 76 and 77 strike: "the provisions of Sec. 36-209, Comp. St." and in lieu thereof, insert: "~~the provisions of Sec.~~ **section** 36-209, ~~Comp. St.~~ **C. S.**"; line 81, strike "or" and in lieu thereof insert "**on**".

11. In the bill, Section 5, pages 7 and 8, line 5, strike "clerk of the county" and in lieu thereof insert: "~~clerk of the~~ county **clerk,**"; line 6, insert "," after "issued"; strike: "**to the county clerk of his county**" in line 16, and in lieu thereof insert "**of**"; line 17, before "**certificate**" insert "the", and in said line, strike: "**which has been**", and in lieu thereof insert ","; line 18, strike the period after "**purchaser**" and in lieu thereof insert: "**, to the county clerk of the county where such new purchaser resides.**"; lines 27 and 28, strike "indemnify him", and in lieu thereof insert: "~~identify him~~ **indemnify such person**"; line 29, strike "he or they" and in lieu thereof insert: "~~he or they~~ **any of them**"; line 32, strike "he" and in lieu thereof insert "~~he~~ **such person**".

12. In the bill, Section 6, page 9, in the “Certificate of Title”, 10th line, strike “Mot.” and in lieu thereof insert “~~Motor~~ **Mot.**” and in said line, strike “Yr.” and in lieu thereof insert “~~Year~~ **Yr.**”; in the “Note” at the bottom of the page, 1st line, strike “no” before “liens” and in lieu thereof insert “~~not~~ **no**”; page 11, 32nd line, strike “Mot. No.” and in lieu thereof insert “~~Motor~~ **Mot.** No.”, and in said line, strike “Yr. Made” and in lieu thereof insert “~~Year~~ **Yr.** Made”, also on page 15, 21st line; Page 15, 2nd and 3rd lines, show the dotted lines as stricken matter.

13. In the bill, Section 7, page 17, line 30, strike “fifty” and in lieu thereof insert “fifth”; line 34, insert “,” after “treasurers”.

14. In the bill, Section 8, pages 17 and 18, line 3, before “forges” insert “**(a)**”; line 5, strike “or” before “any assignment” and in lieu thereof insert “~~or~~”; lines 6 and 7, strike: “; or whoever” and in lieu thereof insert: “~~;~~ ~~or whoever~~ , **(b)**”; line 7, strike “or” after “certificate” and in lieu thereof insert “~~or~~ ,”; line 9, strike: “; or whoever”, and in lieu thereof insert: “~~;~~ ~~or whoever~~ , **(c)**”; line 10, strike “or” before “passes”, and in lieu thereof insert “~~or~~ **(d)**”; lines 13 and 14, strike: “; or whoever”, and in lieu thereof insert: “~~;~~ or ~~whoever~~ **(e)**”; line 29, insert “,” after “shall” and also after “thereof”.

15. In the bill, Section 9, pages 18 and 19, line 3, before “Whoever” insert “**(a)**”; strike the comma and in lieu thereof insert “~~,~~” in line 7 after “act”, line 35, after “act”, line 37 after “act”; line 8, strike “; or” and in lieu thereof insert “~~;~~ ~~or~~ , **(b)**”; line 14, strike “; or” and in lieu thereof insert: “~~;~~ ~~or~~, **(c)**”; line 18, strike “; or” and in lieu thereof insert: “~~;~~ ~~or~~ , **(d)**”; lines 22 and 23, strike “; **or**” and in lieu thereof insert: “~~;~~ , **(e)**”; line 23, strike “**or**” after “**name**” and in lieu thereof insert “,”; line 24, strike “**or**” after “**address**” and in lieu thereof insert “,”; line 26, strike the comma after “**act**”; line 28, strike “; **or**” and in lieu thereof insert “**, (f)**”; lines 32 and 33, strike “; **or**” and in lieu thereof insert “, **(g)**”; line 34, strike “; or” and in lieu thereof insert “or **(h)**”.

LEGISLATIVE BILL 286. Placed on Select File with amendments.

E and R amendments to L. B. 286:

1. In the bill, Section 1, pages 2, 3, 4 and 5, line 17, strike “to” and in lieu thereof insert: “, to **the**”; line 29, before “**results**” insert “**the**”; line 47, strike “, if” and in lieu thereof insert: “~~,~~ if ,”; line 58, strike “a” and in lieu thereof insert “the”; line 60, strike “case” and in lieu thereof insert “cast”; line 65, before “death” insert “**(a)** , after “death” strike “or” and in lieu thereof insert “~~or~~ ,” and after “disability” strike the comma and in lieu thereof insert “~~,~~”; line 66, strike “or” before “removal” and in lieu thereof insert: “~~or~~ **(b)**”; line 67,

strike "or by" and in lieu thereof insert: "~~or by~~ **, (c)**"; line 69, strike "**, or**" and in lieu thereof insert: "~~,~~ **or (d)**"; line 71, strike the comma after "**governor**", also in line 72 after "**district**"; line 76, strike "and the" and in lieu thereof insert: "~~and the~~ **. The**"; line 87, strike "the state" and in lieu thereof insert: "~~the state~~ **State**", also the same in line 90; strike the comma and in lieu thereof insert "~~,~~" in line 13 after "separate", line 75 after "vacancy" and also after "vacancies"; strike the comma in line 22 after "**district**"; insert "**,**" in line 86 after "director" also after "office", line 87 after "bond", line 92 after "not" and also after "doings", line 93 after "liabilities" and also after "district".

2. In the bill, Section 2, pages 5, 6, 7, 8, 9 and 10, line 1, strike "Section" and in lieu thereof insert "Sec."; line 3, before "The" insert "**(1)**"; line 10, strike "**, nor shall any person**" and in lieu thereof insert: "**. No person shall**"; line 11, strike the comma after "**board**"; line 18, strike ", and the" and in lieu thereof insert: "~~, and the~~ **. The**" and in said line strike "such" and in lieu thereof insert "~~such~~ **an**"; line 20, strike "and such other" and in lieu thereof insert: "~~and such other~~"; line 21, strike "in handling" and in lieu thereof insert "~~in handling~~ **to handle**", and in said line, strike "transacting" and in lieu thereof insert "~~transacting~~ **transact**"; line 26, strike "moneys" and in lieu thereof insert: "~~moneys~~ **money**"; line 30, strike "**and he**" and in lieu thereof insert: "**. He**"; at the end of line 44 insert "~~,~~"; lines 63 and 64, strike "**of the audit**" and in lieu thereof insert "**thereof**"; line 69, strike the comma after "**district**"; line 84, after "**shall**" insert "**the**"; strike the comma before "**or**" in line 86, line 122 after "**contracts**", line 128 after "**agents**", line 130 after "**servants**"; line 86, strike "**$10,000**" and in lieu thereof insert: "**ten thousand dollars per annum**", and the same in line 91; line 88, strike "**, and the**" and in lieu thereof insert "**. The**"; lines 90 and 91, strike "**, and all**" and in lieu thereof insert "**. All**"; insert the word "**the**" in line 110 after "**(3)**", line 111 after "**(4)**", line 112 after "**(5)**" and also before "**plant**" at the end of the line, line 113, after "**during**" and also after "**(6)**", line 115 after "**(7)**", line 116 after "**(8)**"; line 116, after "**31**" insert "**of**"; line 123, after "**subject**" insert "**(a)**"; line 124, strike "**or**" before "**in**" and in lieu thereof insert "**(b)**"; line 125, strike "**, or**" and in lieu thereof insert "**or (c)**"; line 127, strike "**; it**" and in lieu thereof insert "**. It**"; strike the comma and in lieu thereof insert "~~,~~" in line 7 after "district", line 19 before "and", line 20 after "servants", line 35 before "or", line 41 before "and"; insert "**,**" in line 35 before "not", line 84 after "**compensation**", line 85 after "**otherwise**", line 95 after "**expenses**".

3. In the bill, Section 3, pages 10, 11, 12 and 13, line 1, strike "Section" and in lieu thereof insert "Sec."; line 4, strike "shall" after "and" and in lieu thereof insert "~~shall~~"; line 13, strike "or" and in lieu thereof insert "~~or~~"; line 15, strike "or beyond," and in lieu thereof

insert ", ~~or~~ beyond ~~,~~"; line 18, after "with" insert "(**a**)"; line 20, strike "or with" and in lieu thereof insert "~~or with~~ "(**b**)"; line 22, strike ", or with" and in lieu thereof insert "~~,~~ or ~~with~~"; line 23, strike "or with" and in lieu thereof insert "~~or with~~ (**c**)"; line 25, strike ", or with" and in lieu thereof insert "~~,~~ or ~~with~~ (**d**)"; line 39, strike "or" and in lieu thereof insert "~~or~~", line 50, after "with" insert "(**a**)"; line 51, strike "or with" and in lieu thereof insert "~~or with~~ (**b**)"; line 52, strike "or with" and in lieu thereof insert "~~or with~~ (**c**)"; line 54, strike ", or with" and in lieu thereof insert "~~,~~ or ~~with~~"; line 55, strike ", or with" and in lieu thereof insert "~~,~~ or ~~with~~ (**d**)"; lines 74 and 75, strike: "**1941** Cumulative Supplement to Compiled Statutes of Nebraska, 1929." and in lieu thereof insert: "~~Cumulative Supplement to Compiled Statutes of Nebraska, 1929~~ **C. S. Supp., 1941** ."; insert "**,**" in line 3 after "district", line 4 after "Act"; strike the comma and in lieu thereof insert "~~,~~" in line 5 after "have", line 13 after "use", line 25 before " or any", line 26 after "corporate", line 29 after "sale", line 60 after "leasing", line 61 after "service" .

4. In the bill, Section 4, pages 13, 14, 15 and 16, line 5, strike "or" after "system," and in lieu thereof insert "~~or~~"; line 1, strike "Section" and in lieu thereof insert "Sec."; line 20, strike the comma after "district" and in lieu thereof insert "~~,~~ **and**"; line 25, before "that" insert "**state**"; strike "shall" at the beginning of line 28 and in lieu thereof insert "~~shall~~", and in line 29, strike "shall" after "same" and in lieu thereof insert "~~shall~~ **will**"; line 37, before "in" insert "**provided for**" and after "section" strike "provided" and in lieu thereof insert "~~provided~~"; line 41 strike "wherever possible" and in lieu thereof insert "~~wherever possible~~"; line 42, after "contractor" insert: "**whenever possible**"; line 46, after "1941" and before the semicolon insert: "**as amended**"; line 53, strike the semicolon after "section" and in lieu thereof insert "~~,~~ ;"; line 56, strike "**or of rules,**" and in lieu thereof insert "**rules**"; strike the comma and in lieu thereof insert "~~,~~" in line 6 after "works", line 7 after "district", line 8 after "machinery", line 5 after "sion", line 52 before "or"; insert "**,**" in line 10 after "and", line 43 after "1929", line 44 after "bonds", line 60 after "**district**", line 61 after "**section**", line 21 after "periodicals", line 22 after "board", line 63 after "**therefor**", line 64 after "section"; line 12, strike "**($1,000.00)**" and in lieu thereof insert "**,**"; strike the comma in line 55 after "**war**", at the end of line 57, line 62 after "**rationed**", line 63 after "**controlled**" .

5. In the bill, Section 5, pages 16 and 17, line 1, strike "Section" and in lieu thereof insert "Sec."; line 5, strike the comma after "warrant" and in lieu thereof insert "~~,~~"; strike the comma in line 8 before "**or**" in two places, line 14 after "**negligent**", line 15 after "**wrongful**" and after "**unauthorized**" .

6. In the bill, Section 6, pages 17 to 24, inclusive, line 1, strike "Section" and in lieu thereof insert "Sec."; line 8, strike ", or from" and in lieu thereof insert "; or ~~from~~"; strike the comma and in lieu thereof insert ";" in line 17 after "pledging", line 24 after "receivership", line 27 after "firm", line 28 after "transmitting", line 32 after "rants", line 37 after "warrants" and also after "indebtedness", line 49 after "warrants", line 55 after "warrants", line 61 after "warrants" and also after "indebtedness", line 73 after "rants" and also after "issued", line 76 after "warrants", line 79 after "jurisdiction", line 82 after "benefits", line 89 after "warrants", line 97 after "village", line 99 after "system" and also after "theerof", line 104 after "lease" and also after "otherwise", line 117 after "terms", line 119 after "sale", line 134 after "purposes", line 145 after "same", line 155 after "revenue", line 184 after "same"; insert "," in line 32 after "indebtedness", line 35 after "that", line 49 after "indebtedness", line 57 after "issue", line 66 after "district", line 71 after "that", line 78 after "entitled", line 151 after "corporation", line 187 after "section"; line 38, after "in" insert "**the**"; line 43, strike ", and after payment" and in lieu thereof insert: "; and, after paying"; line 52, strike "in full" and in lieu thereof insert "~~in full~~" and in said line after "interest" and before the semicolon, insert: "**in full**"; line 59, strike "and all" and in lieu thereof insert "~~and all~~"; line 60 strike ", and all" and in lieu thereof insert: "; and ~~all~~"; strike all of line 121 after "inclusive," and all of line 122 up to "**1941,**", and in lieu thereof insert: "**C. S. Supp.,** ~~Compiled Statutes of Nebraska~~; ~~1929~~. "; line 180, after "as" insert "**are**".

7. In the bill, Section 7, pages 24, 25 and 26, line 1, strike "Section" and in lieu thereof insert "Sec."; line 8, strike "1933" and in lieu thereof insert "~~1933~~ **1941**"; strike the comma and in lieu thereof insert ";" in line 11 after "district", line 45 after "located"; line 23, after "**district**" insert ","; line 32, strike the comma after "**petition**" , and in said line, before "**the**" insert "**if**"; lines 37 and 38, strike "**, one**" and in lieu thereof insert: "**. One**"; line 38, strike "**which**" and in lieu thereof insert "**such**"; line 40 strike "**, and the** " and in lieu thereof insert "**. The**"; line 45, strike the comma after "located" and in lieu thereof insert ";", and in said line, strike "and" and in lieu thereof insert: "~~and~~ **. The**"; line 49, insert "**the**" after "**in**" and also after "**and**", and strike "**on**" and in lieu thereof insert "**and**".

8. Strike "Section" in line 1, of sections 8, 9 and 10, and in lieu thereof insert "Sec.".

9. In the bill, title, page 1, 3rd line, strike the comma after "districts" and in lieu thereof insert "and"; 4th line, before "government" insert: "dissolution,"; 7th line, before "to repeal" insert: "to state a savings clause;".

LEGISLATIVE BILL 424. Placed on Select File with amendments.

E and R amendments to L. B. 424:

1. In Standing Committee amendment No. 2, 4th line, strike the comma after "board".

2. In Standing Committee amendment No. 15, 2nd line, strike the inserted words and in lieu thereof insert: "exercising the" .

3. In the bill, Section 2, page 2, line 9, after "issuance" insert "or renewal"; line 10, strike ", or renewal thereof,"; line 11, strike "dollars" and in lieu thereof insert "dollar".

4. In the bill, Section 3, page 2, line 2, insert a comma after "made"; line 4, strike the comma after "business"; line 5, strike the comma after "furnished" and at the end of said line add the word "the"; line 7, after "cause" insert "an" .

5. In the bill, Section 4, page 3, line 6, strike the comma after "care".

6. In the bill, Section 5, page 3, line 3, strike ", and" and in lieu thereof insert "and ,"; line 5, strike the comma after "dollars", and in said line, after "jail" insert the word "for".

7. In the bill, Section 6, page 3, line 2, after "and" and before "effect" insert the word "take".

8. In the title, page 1, 11th line, before "to prescribe", insert: "to provide that this act shall be in effect until March 1, 1945, when it shall expire by its own limitations;" .

LEGISLATIVE BILL 436. Placed on Select File with amendments.

E and R amendments to L. B. 436:

1. In the bill, Section 1, pages 2, 3 and 4, insert "," in line 9 after "vote" and also after "1", line 14 after "teacher". line 15 after "provisions", line 16 after "board", line 17 after "thereafter", line 32 after "annually" and also after "June", line 39 after "board", line 41 after "tax" and also after "regents", line 57 after "Students", line 62 after "year", line 82 after "semester", line 85 after "tuition"; strike the comma and in lieu thereof insert ";" in line 10 after "period", line 38 after "indebtedness", line 80 after "purposes"; line 29, strike

"They" and in lieu thereof insert: "~~They~~ **The said board**"; line 30, strike "them" and in lieu thereof insert "~~them~~ **it**"; line 31, strike the semicolon after "vote" and in lieu thereof insert: "~~;~~ **and the power**"; and in said line, strike "They" and in lieu thereof insert "~~They~~ **It**"; line 33, after "for" insert "**(a)**"; lines 34 and 35, strike: "the amount of funds required for", and in lieu thereof, insert: "~~the amount of funds required for~~ **(b)**"; line 35, before "the erection" insert "**(c)**"; line 36, before "the" insert "**(d)**"; line 37, after "and" insert "**(e)**"; line 50, strike "their" and in lieu thereof insert "~~their~~ **its**"; insert "**or her**" after "his" in lines 69 and 74; line 73, strike "he" and in lieu thereof insert: "~~he~~ **such student**"; line 77, strike "and" and in lieu thereof insert "~~and~~ ,".

LEGISLATIVE BILL 418. Placed on Select File with amendments.

E and R amendments to L. B. 418:

1. In General File amendments by Mr. Brodahl, adopted May 7, Section 2, line 16, insert "," after "kind" and also after "seed".

2. In the bill, Section 1, page 2, line 3, before "every" insert "**(a)**"; line 6, strike "; and of" and in lieu thereof insert "~~;~~ ~~and of~~ , **(b)**"; line 8, strike "and of" and in lieu thereof insert "~~and of~~ **(c)**"; line 9, strike "and" after "cities" and in lieu thereof insert "~~and~~ ,"; line 11, strike ", and of" and in lieu thereof insert "~~,~~ and ~~of~~ **(d)**"; lines 15 and 16, strike: "in this section above described", and in lieu thereof insert: "~~in this section above~~ , described **in this section,**"; lines 23 and 24, strike "**, and that the**" and in lieu thereof insert: "~~,~~ . **The**"; line 25, strike "**or**" before "**other**", and strike the comma after "**subdivision**"; line 31, strike the comma after "misdemeanor" and in lieu thereof insert "~~,~~"; insert "," in line 7 after "employees", line 10 after "state", line 12 after "associations", line 18 after "plans" and also after "director".

3. In the bill, title, page 1, 2nd line, strike the word "section" and in lieu thereof insert "sections".

LEGISLATIVE BILL 205. Placed on Select File with amendments.

E and R amendments to L. B. 205:

1. In the bill, Section 1, pages 2 and 3, insert "," in line 4 after "census", also in lines 8, 12, 16, and in line 19 after "cities"; line 19, after "any" insert "**of**"; line 21, after "receive" insert: "**five hundred dollars annually**"; and in said line strike "his" and in lieu thereof

insert: "~~his~~ **the above specified**"; strike the word "the" at the end of line 21, and all of lines 22 to 28, inclusive, and "dollars. In" at the beginning of line 29, and in lieu thereof insert: "~~the following amounts, to-wit: In cities containing one hundred thousand or more population according to such census, five hundred dollars. In cities containing forty thousand or less than one hundred thousand population according to such census, five hundred dollars. In cities containing according to such census twenty-five thousand and less than forty thousand population, five hundred dollars. In~~ **except in**"; line 31, before "three" insert: "**the mayor shall receive the additional annual sum of**"; line 32, strike the comma after "mayor" and in lieu thereof insert "~~,~~;"; line 37, after "such" insert: "**times or for such**".

LEGISLATIVE BILL 431. Placed on Select File with amendments.

E and R amendments to L. B. 431:

1. In the bill, Section 1, pages 2 and 3, line 5, strike "that" and in lieu thereof insert: "~~the~~ **that**"; insert "," in line 19 after "diem", line 36 after "habitants", line 37 after "diem", line 40 after "organization"; line 27, strike ", and" and in lieu thereof insert: "~~,~~; ~~and~~"; line 32, strike "where said county contains" and in lieu thereof, insert: "~~where said county contains~~ **, which contain**"; lines 33 and 34, strike: "of territory and also contains" and in lieu thereof insert: "~~of territory~~ and ~~also contains~~"; insert "**or her**" after "his" in lines 44 and 47.

2. In the bill, title, page 1, 3rd line, strike "board" and in lieu thereof insert "boards".

LEGISLATIVE BILL 225. Correctly enrolled.

LEGISLATIVE BILL 433. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signed

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 225	**L. B. 433**

Adjournment

At 5:00 p.m. Mr. Foster moved to recess until 7:30.

Mr. Matzke moved to adjourn.

The Matzke motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

NINETY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 14, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Burnham and Rakow, who were excused.

The Journal for the Ninetieth Day was approved as corrected.

Petitions and Memorials

Five petitions were read, addressed to all members, favoring L. B. 127.

Communications

A letter was read from Ed H. Johnson of Axtell regarding a grand jury investigation.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval
Friday, May 14, 1943, at 9 a. m.

L. B. 239
L. B. 429
L. B. 249
L. B. 197
L. B. 166
L. B. 223
L. B. 246
L. B. 407
L. B. 351
L. B. 191
L. B. 269

Correctly Engrossed

L. B. 414
L. B. 339
L. B. 293
L. B. 413
L. B. 139

Correctly Enrolled

L. B. 386
L. B. 242
L. B. 194
L. B. 112

(Signed) James H. Anderson, Chairman

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 300. With emergency clause.

A bill for an act to amend section 19-801, Compiled Statutes of Nebraska, 1929, as amended by legislative bill 187, fifty-sixth session of the Nebraska State Legislature, 1943, relating to aviation fields; to provide for levy of taxes in cities of the first and second class for the purpose of the construction, leasing, maintenance, improvement and management of such an aviation field and for the payment of personal employment in the performance of labor in connection therewith; to provide that no part of the funds so levied and raised shall be used for any other purpose; to repeal the original section as amended by legislative bill 187, fifty-sixth session of the Nebraska State Legislature, 1943; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Asimus
Bowman
Brodahl
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, James H.
Burnham
Conklin
Norman
Osborne
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 206. With emergency clause.

A bill for an act to provide for a limitation of the time within which an action may be brought to attack or to declare invalid proceedings, brought by a county to foreclose tax liens under section 77-2039, C. S. Supp., 1941, where the county has bid in the property as trustee, whether the county has obtained deeds therefor or not, or such bids or deeds taken pursuant thereto; to fix the conditions upon which an action may be brought to attack such proceedings or deeds; to provide for the distribution of proceeds when any county shall have heretofore commenced proceedings under said provisions and shall have heretofore bid as trustee for the purchase of property at sales held under said section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Burnham
Heiliger
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 167.

A bill for an act to amend section 81-7601, C. S. Supp., 1941, relating to the state zoning agency; transferring jurisdiction thereof to the Department of Roads and Irrigation, who shall be reimbursed for all expenses incurred in administering the activities of the agency of the state zoning agency fund; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Burnham
Craven
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 157. With emergency clause.

A bill for an act to amend section 31-629, Compiled Statutes of Nebraska, 1929, relating to sanitary drainage districts; to provide that the Auditor of Public Accounts shall cause the books of account of such districts to be examined and audited annually by a certified public accountant under his direction; to provide the time and scope thereof; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Burnham
Klaver
Lee
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 182.

A bill for an act to amend section 17-401, C. S. Supp., 1941, relating to powers of cities of the second class and villages; to provide that cities of the second class or villages may sell real estate without passage of an ordinance and publication of a notice, where the real estate was acquired at tax foreclosure sale and the sale price is less than five hundred dollars; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Burnham
Conklin
Klaver
Osborne
Rakow
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SELECT FILE

LEGISLATIVE BILL 160. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 71. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 236. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 335. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 435. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 400. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 79. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Laid over.

LEGISLATIVE BILL 214. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Mr. Dooley offered the following amendment, which was adopted by unanimous consent:

Amend Section 7, line 10, by striking the word "twenty-five" and inserting the word "fifty" therein, and in line 15, strike the word "ten" and insert the words "thirty-five".

Mr. Crosby offered the following amendment, which was adopted by unanimous consent:

Amend Sec. 7, line 5, by striking the word "certified" and inserting in lieu thereof the word "duplicate".

Referred to E and R for engrossment.

LEGISLATIVE BILL 286. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Laid over.

LEGISLATIVE BILL 424. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 436. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 418. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Mr. Neubauer offered the following amendment, which was adopted by unanimous consent:

1. Amend page 2 of the bill by adding a new section to be numbered 5, reading as follows:

"Sec. 5. Since an emergency exists this act shall be in full force and take effect, from and after its passage and approval, according to law."

2. Amend the title, lines 12 and 13, by striking the word "and" in line 12, striking the period after the word "section" and then adding: "; and to declare an emergency."

Referred to E and R for engrossment.

LEGISLATIVE BILL 205. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 431. E and R amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for engrossment.

Mr. Sorrell presiding

GENERAL FILE

LEGISLATIVE BILL 72. Mr. Matzke's specific amendments, found in the Legislative Journal for the Ninetieth Day, were adopted.

Referred to E and R for review.

LEGISLATIVE BILL 43. Mr. Greenamyre renewed his motion of the Ninetieth Day.

Record vote was requested.

Voting in the affirmative, 13:

Asimus
Bowman
Carmody
Crosby
Gantz
Garber
Greenamyre
Jeppesen
Matzke
Mueller
Neubauer
Osborne
Reavis

Voting in the negative, 18:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crossland
Dooley
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Lee
Mekota
Ogden
Peterson
Raecke
Thomas
Weborg

Not voting, 12:

Burnham
Craven
Cullingham
Doyle
Foster
Klaver
Mischke
Norman
Rakow
Sorrell
Thompson
Tvrdik

The motion was lost.

Mr. Peterson moved that the Standing Committee amendments, found in the Legislative Journal for the Forty-fifth Day, be adopted.

Mr. Lee offered the following amendment, which was adopted:

Amend Committee amendment, Section 4 (a) by inserting after the word "month" in the third line the following: "on that part of the unpaid principal balance not in excess of one thousand dollars and not exceeding one per cent per month in excess of one thousand dollars."

Amend the last paragraph of Section 1 by striking the figure "$2500" and inserting in lieu thereof "$2000".

Mr. Crosby offered the following amendment, which was adopted:

Amend standing committee amendments, page 3, paragraph (d) lines 4 & 5, by striking the words "in the face of the note and".

Mr. Greenamyre offered the following amendment:

Amend the standing committee amendments, page 2, Section 4 (a) line 3, by striking the words "one and one half per cent a month" and insert "18% per annum" and amend the Lee amendment by striking the words "one per cent per month" in line 6, and insert "twelve per cent per annum".

Record vote was requested.

Voting in the affirmative, 16:

Anderson, D. S.
Asimus
Bowman
Carmody
Crosby
Crossland
Cullingham
Doyle
Greenamyre
Jeppesen
Matzke
Mueller
Neubauer
Osborne
Raecke
Reavis

Voting in the negative, 0.

Not voting, 27:

Anderson, James H.
Brodahl
Burnham
Conklin
Craven
Dooley
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Mekota
Mischke
Norman
Ogden
Peterson
Rakow
Sorrell
Thomas
Thompson
Tvrdik
Weborg

The amendment was adopted.

Mr. Peterson offered the following amendment, which was adopted:

Amend the Standing Committee amendments, page 4, section 7, by striking the sentence: "Every advertisement by a bank which states a charge or a payment schedule for personal loans shall also contain the rate of charge plainly expressed as a percentage per month computed on unpaid principal balances." and substituting the following in lieu thereof: "The Department of Banking may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as it may deem necessary to prevent misunderstanding thereof by prospective borrowers."

Mr. Crosby offered an amendment regarding liens on real estate which was lost with 2 ayes, 19 nays, 22 not voting.

Mr. Peterson moved that the Standing Committee amendments, as amended, be adopted.

Record vote was requested.

Voting in the affirmative, 23:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crossland
Dooley
Doyle
Foster
Gutoski
Heiliger
Hubka
Jeffords
Lee
Mischke
Norman
Ogden
Peterson
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 5:

Asimus
Crosby
Greenamyre
Neubauer
Osborne

Not voting, 15:

Bowman
Burnham
Carmody
Craven
Cullingham
Gantz
Garber
Hanna
Jeppesen
Klaver
Matzke
Mekota
Mueller
Raecke
Rakow

Consent was granted to strike Mr. Greenamyre's name as a co-introducer.

Mr. Peterson moved to refer to E and R for review.

Mr. Greenamyre moved to strike the enacting clause.

After discussion, Mr. James H. Anderson moved the previous question.

The Chair put the question, "Shall the debate now close?"

The motion was lost with 13 ayes, 7 nays, 13 not voting.

Record vote was requested.

Voting in the affirmative, 8: (on motion to strike enacting clause).

Asimus
Crosby
Garber
Greenamyre
Mueller
Neubauer
Osborne
Raecke

Voting in the negative, 19:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Dooley
Foster
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Ogden
Peterson
Sorrell

Not voting, 16:

Bowman
Burnham
Carmody
Craven
Crossland
Cullingham
Doyle
Gantz
Jeppesen
Norman
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

The motion was lost.

Referred to E and R for review.

MOTION—Amendments to L. B. 296

Mr. Crosby moved that the bill drafter be instructed to submit to the Legislature amendments to L. B. 296 and L. B. 176 by stating all rates of interest in terms of per cent per annum, instead of per cent per month.

The motion prevailed with 18 ayes, no nays, 25 not voting.

Members Excused

Messrs. Weborg, Norman and Doyle were excused until Monday morning.

Recess

At 12:04 p.m. on motion by Mr. Heiliger the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Messrs. Burnham and Rakow, who were excused.

SELECT FILE

LEGISLATIVE BILL 286.

Mr. Crosby offered the following amendment, which was adopted by unanimous consent:

Amend mimeographed form, page 13, Sec. 3, line 79, by adding after the word and punctuation "district." the following words and punctuation: "notwithstanding anything to the contrary in this act, no district operating, owning lines, or operating and owning lines, in thirteen or more counties in the state shall combine, merge or consolidate all or a major portion of its property with the property of any other such district."

Mr. Craven offered an amendment and asked that it be adopted by unanimous consent.

Objection was raised by Mr. Matzke.

Mr. Craven moved that the rules be suspended for the purpose of voting on his amendment, on Select File.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Mr. Craven moved that his specific amendment be adopted.

The motion was lost with no ayes, 17 nays, 26 not voting.

Mr. Crosby offered the following amendment and asked that it be adopted by unanimous consent:

Amend L. B. 286, mimeographed form, page 7, lines 57 and 58, by striking the words "who shall be selected by the Auditor of Public Accounts" and inserting in lieu thereof the following words and punctuation: "who shall be selected by the district, subject to the approval of the Auditor of Public Accounts".

Objection was raised by Mr. James H. Anderson.

Mr. Peterson offered the following specific amendment and asked that it be adopted by unanimous consent:

Amend page 12 of the mimeographed bill, section 3, line 37, by inserting after the punctuation following the word "district" the following: **"Any district organized under this act which is engaged in the generation and transmission of electrical energy shall be required to sell electrical energy at wholesale directly to any municipality or political subdivision in the state which is engaged in the distribution and sale of electrical energy when such municipality or political subdivision makes application for the purchase of electrical energy, provided such district has the requested amount of electrical energy available for sale and the municipality or political subdivision agrees to make or pay for the necessary physical connection with the electrical facilities of such district."**

Objection was offered by Mr. Sorrell.

Mr. Crosby moved that the rules be suspended for the purpose of voting on the Crosby and Peterson specific amendments.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Crosby moved that his specific amendment, above set out, be adopted.

The motion prevailed with 17 ayes, 2 nays, 14 not voting.

Mr. Peterson moved that his specific amendment, above set out, be adopted.

The motion prevailed with 16 ayes, 8 nays, 19 not voting.

Referred to E and R for engrossment.

Approved by the Governor

May 14, 1943.

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 249
L. B. 197
L. B. 407
L. B. 269
L. B. 223
L. B. 191
L. B. 246

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

REQUEST—To Return L. B. 205 to Select File

Mr. Hubka asked that unanimous consent be granted to return L. B. 205 to Select File for the following specific amendment:

Amend by adding a new section to said bill reading as follows:

"Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law".

Amend the title to conform.

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 205. Mr. Hubka's specific amendment, above set out, was adopted by unanimous consent.

Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 261. Read and considered.

Mr. Tvrdik offered the following amendments:

1. Amend page 2 of the bill, section 1, lines 3 to 14, by reinstating the old matter shown as stricken therein.

2. Amend page 2 of the bill, section 1, lines 14 to 28, by striking all of the new matter therein.

3. Amend the title to conform.

Mr. Gutoski offered an amendment to the Tvrdik amendment.

Mr. Klaver offered an amendment to the Gutoski amendment.

The Klaver amendment was lost with no ayes, 25 nays, 18 not voting.

The Gutoski amendment was lost with 10 ayes, 19 nays, 14 not voting.

Mr. Doyle offered the following amendment to the Tvrdik amendment:

Strike from line 62 the words "passage of this act" and insert in lieu thereof the words "adoption of any new retirement plan,".

Amend section 1, page 4, by inserting following the word "years" the following: ", but the amount of such monthly retirement benefit shall in no case exceed the benefit which can be provided out of the total contributory fund accumulated for that employee at the time of his retirement.

The amendment was adopted.

The Tvrdik amendment as amended was adopted.

Unanimous consent was granted to add the names of Cliff N. Ogden, William J. Norman and Harry A. Foster as co-introducers.

Referred to E and R for review.

Members Excused

Messrs. Thomas, Crossland, Greenamyre, Asimus and Klaver were excused until Monday morning.

MOTION—Saturday Session

Mr. Reavis moved that the members indicate by voting aye which of them would be present for the Saturday session.

The motion prevailed.

Twenty-nine members voted aye.

Mr. Lee Presiding

GENERAL FILE (Continued)

LEGISLATIVE BILL 255. Read and considered.

Standing Committee amendments, numbered 2 to 11, both inclusive, found in the Legislative Journal for the Forty-seventh Day, were adopted.

Mr. Greenamyre offered the following amendment, which was adopted with 10 ayes, 7 nays, 26 not voting:

Amend page 6, Section 14, by striking subsection (k) not stricken by the Standing Committee amendments and reletter the sections.

Approved by the Governor

May 14, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 351 L. B. 429 L. B. 239

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 433. Presented to the Governor for Approval Friday, May 14, 1943, at 3:00 p.m.

LEGISLATIVE BILL 225. Presented to the Governor for Approval Friday, May 14, 1943, at 3:00 p.m.

LEGISLATIVE BILL 176. Placed on Select File with amendments.

E and R amendments to L. B. 176:

1. In the bill, Section 1, page 2, line 4, strike "copartnerships" and in lieu thereof insert "~~copartnerships~~ **partnerships**".

2. In the bill, Section 2, formerly 3, page 3, insert "," in line 12 after "may", line 13 after "department"; line 14, before "**one**" insert: "**the principal amount of**"; line 15, strike "**in principal amount**"; line 18, strike "Provided," and in lieu thereof insert: "~~Provided~~ **provided**".

3. In the bill, Section 3, formerly 4, pages 4 and 5, line 42, strike "**and**"; line 54, strike "**that,**" and in lieu thereof insert "**, that**"; line 61, strike "**and**", also in line 74; line 75, strike the semicolon after "**whatsoever**"; line 82, strike "**or**" and in lieu thereof insert ","; insert "," in line 37 after "**loans**", line 77 after "**thereof**", line 80 after "**and**" and also after "**thereof**"; strike the comma in line 45 after "**dollars**", line 47 after "**wife**", line 52 after "**deducted**", line 62 after "**borrower**", at the end of line 71, line 75 after "**interest**", line 77 after "**agents**", line 83 after "**months**".

4. In the bill, Section 4, formerly 5, pages 6 and 7, strike the comma in line 15 after "**for**", line 20 after "**guarantor**"; insert "," in line 29 after "**loan**", line 40 after "**contract**" and before "**if**", line 42 after "**borrower**" and before "**or**", line 44 after "**contract**" and before "**if**", line 61 after "**months**" and before "**as**", line 66 after "**principal**"; line 36, strike the figure "4" and in lieu thereof insert "3"; line 49, strike "**which shall be**".

5. In the bill, Section 5, formerly 6, pages 7, 8 and 9, line 1, strike "45-144" and in lieu thereof insert "45-146"; line 3, strike "45-144." and in lieu thereof insert "45-146."; line 6, strike "but all" and in lieu thereof insert: "~~but all~~ . **All**"; line 14, strike "or" and in lieu thereof insert "~~or~~ ,"; line 15, strike the comma after "personally"

and in lieu thereof insert "~~,~~"; insert "," in line 17 after "wages", line 18 after "advancement", line 21 after "association", line 22 after "provided", line 24 after "borrowers"; line 19, after "unless" insert: "**there is attached thereto**"; line 20, strike "is attached thereto" and in lieu thereof insert: "~~is attached thereto~~"; line 23, strike ", or" and in lieu thereof insert: "~~,~~ or ,"; line 27, strike "4" and in lieu thereof insert "3"; line 28, after "**terms**" insert "**(a)**"; line 29, after "**loan,**" and before "**a**" insert "**(b)**", and in said line, after "**required,**" and before "**the**" insert "**(c)**"; line 30, after "**loan,**" and before "**the**" insert "**(d)**"; line 32, strike "**, and**" and in lieu thereof insert "**and (e)**"; line 34, strike "~~of~~" and in lieu thereof insert "~~or~~"; line 37, strike "**, and stating**" and in lieu thereof insert "**and**".

6. In the bill, Section 6, formerly 7, page 9, line 4, strike "or" and in lieu thereof insert "~~or~~ ,"; line 10, strike "or shall be" and in lieu thereof insert ", ~~or shall be~~" , and in said line, after "jail" insert "," ; line 11, after "both" and before the period, insert: "**such a fine and imprisonment**"; strike the comma at the end of line 15 and in lieu thereof insert "~~,~~".

7. In the bill, Section 7, formerly 8, page 9, line 3, strike the comma after "**Cancelled**" and before the quotation mark, also in line 4 after "**pledge**" and also after "**cancel**".

8. In the bill, Section 8, formerly 9, pages 9 and 10, line 3, strike "4" and in lieu thereof insert "3", and strike "5" and in lieu thereof insert "4"; lines 6 and 7, strike "**; and an**" and in lieu thereof insert "**. An**"; line 7 after "**may**" insert "**also**"; line 13, after "**of**" insert "**a**"; line 16, strike "**to**" before "**appoint**"; line 21, after "**when**" insert "**so**"; line 25, strike "**him**" and in lieu thereof insert "**the said receiver**"; insert "," in line 4 after "**may**", line 5 after "**thereto**", line 7 after "**brought**", line 8 after "**department**", line 14 after "**court**", line 15 after "**brought**", line 24 after "**shall**" and also before "**be**"; strike the comma in line 10 after "**action**", line 16 after "**impound**", line 17 after "**documents**", line 23 after "**up**".

9. In the bill, Section 9 formerly 10, page 10, insert "," in line 1 after "**loan**" and also after "**state**", line 2 after "**less**", line 5 after "**received**", line 6 after "**person**", line 7 after "**state**", line 8 after "**Provided**"; strike the comma in line 3 after "**consideration**", line 5 after "**for**"; line 4, strike "**5**" and in lieu thereof insert "**4**".

10. In the bill, Section 10 formerly 11, page 10, line 1, strike "Section" at the beginning of the line, and in lieu thereof insert "Sec.", and in said line strike the comma before "45-131".

11. In the bill, title, page 1, 5th line, strike "and regulate" and in lieu thereof insert: "certain terms; to provide for certain regulations of"; 12th line, after the semicolon and before "and" insert: "to provide for the appointment of a receiver for such licensees, under the prescribed conditions, and certain powers and duties of such receivers; to give the Department of Banking certain powers and methods of forcing compliance with the provisions of this act;" .

LEGISLATIVE BILL 372. Placed on Select File with amendments.

E and R amendments to L. B. 372:

1. In the bill, Section 1, pages 2, 3 and 4, line 3, strike "(1)" and in lieu thereof insert "(1) ~~.~~"; line 13, strike "(2) (a)" and in lieu thereof, insert: "(2) ~~.~~ (a) ~~Administrator.~~"; line 29, strike "the" and in lieu thereof insert "this"; line 33, strike "(b)" and in lieu thereof insert: "(b) ~~.~~ ~~Container.~~"; line 37, strike "(c)" and in lieu thereof insert: "(c) ~~.~~ ~~Permit.~~"; line 40, strike "(2)" and in lieu thereof insert "(2)"; strike all of line 47 and in lieu thereof insert: "~~the~~ **applicant's** name ~~of the applicant, his~~ address ~~,~~ ~~his~~ **and** occupation,"; line 49, strike "he will claim refund," and in lieu thereof insert: "~~he~~ **such refund** will ~~claim refund~~ **be claimed**,"; line 65, strike: "Upon investigation by the administrator, if", and in lieu thereof insert: "~~Upon investigation by the administrator, if~~ **If**"; line 67, after "true" and before the comma, insert: "**by the administrator after investigation**"; line 71, strike "shall" and in lieu thereof insert "~~shall~~"; line 72, strike "(d)" and in lieu thereof insert: "(d) ~~.~~ ~~Revocation of permit.~~"; line 74, strike "(2)" and in lieu thereof insert "(2)"; line 77, after "by" insert "**the**"; line 86, strike "(e)" and in lieu thereof insert: "(e) ~~.~~ ~~Refund.~~"; line 87, strike "(2)" and in lieu thereof insert "(2)"; line 98, strike "he" and in lieu thereof insert "~~he~~"; strike the comma and in lieu thereof insert "~~,~~" in line 8 after "assistants", line 50 after "power", line 51 after "used"; insert "**,**" in line 19 after "chemicals", line 40 after "claimant", line 53 before "who", line 60 after "ascertain" and also before "the", line 61 after "amounts", line 63 after "deduct" and also after "basis", line 82 after "gasoline" and also after "act", line 86 after "permit", line 87 after "section" .

2. In the bill, Section 2, pages 5 and 6, line 5, strike "he" and in lieu thereof insert: "~~he~~ **such purchaser and claimant**"; line 13, strike: "**, or when used**" and in lieu thereof insert "**or**"; line 17, after "invoices" insert "**, (a)**"; line 19, strike the semicolon after "filed" and in lieu thereof insert: "~~;~~ **, (b)**"; line 23, strike the semicolon after "land" and in lieu thereof insert "~~;~~ **,**"; line 25, before "that" insert "**(c)**"; line 26, strike the semicolon after "correct" and in lieu thereof insert: "~~;~~ **, (d)**"; line 27, strike the semicolon after "used" and in lieu thereof insert:

“~~;~~ , (e)”; line 29, strike “; and” and in lieu thereof insert: “~~;~~ and (f)”; line 55, strike “moneys” and in lieu thereof insert: “~~moneys~~ **money**”; line 59, strike: “twelve months from the date thereof,” and in lieu thereof insert: “~~twelve months from the date thereof,~~ **such time**”; line 60, strike “his” and in lieu thereof insert “~~his~~ **any**”; strike the comma and in lieu thereof insert “~~,~~” in line 4 after “use”, line 40 after “year”, line 58 after “thereof”, line 62 after “vehicle”; insert “**,**” in line 4 after “fuel”, at the end of line 12 after “fuel”, line 23 after “**plant**”, line 31 after “purposes”, line 44 after “refund”, line 45 after “affidavits”, line 46 after “claim” .

LEGISLATIVE BILL 440. Placed on Select File with amendments.

E and R amendments to L. B. 440:

1. In General File amendment by Mr. Cullingham, last line, strike the dollar sign in two places.

2. In General File amendment by Mr. Peterson, 1st line, strike “3” and in lieu thereof insert “4”; 2nd line, strike “22” and in lieu thereof insert “43”; 3rd line, strike “22a” and in lieu thereof insert “44”, and strike the dollar sign before “140.00” .

3. In General File amendment by Mr. Osborne, 4th line, after the quotation mark and before “Frontier” insert “45”; 5th line, strike the dollar sign before “127.81” .

4. In the General File amendment by Mr. Mekota, strike the dollar sign before “63.96” , and insert “46” before “Fred Hellander” .

5. In the General File amendment by Messrs. Craven and Heiliger, strike the insertion and in lieu thereof insert:

“47 Lotta Sagl, Lincoln, Nebraska	Due as workmen's compensation, under award for death of husband	General fund	6,666.69”

6. In the bill, strike the top line of pages 3 and 4; pages 2, 3 and 4, third column, under heading “To come out of”, also in all amendments thereto, strike “Auditor Acct.” and in lieu thereof insert “auditor account number”, wherever same appears.

7. In the bill, Section 1, page 2, line 1, insert a comma after

"money"; page 4, line 40, second column, strike: "Nebr. Constitution" and in lieu thereof insert: "constitution of the State of Nebraska".

8. In the bill, Section 2, pages 4 and 5, insert "," in line 2 after "warrants", line 3 after "enumerated", line 15 after "funds"; line 5, after "upon" insert "the"; strike the word "moneys" and in lieu thereof insert "money" in lines 14 and 15, also in the title, page 1, 9th line.

9. Strike the dollar sign, in the bill, pages 3 and 4, lines 19 and 35, 4th column.

Correctly Engrossed

L. B. 145	L. B. 50	L. B. 244
L. B. 328		L. B. 363

(Signed) James H. Anderson, Chairman

Adjournment

At 5:20 p.m., Mr. Mueller moved to adjourn until 9:00 a.m. Saturday, May 15, 1943.

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

NINETY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Saturday, May 15, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. Speaker Crosby presiding.

The roll was called and all members were present except Messrs. Carmody, Jeppesen, Asimus, Crossland, Doyle, Greenamyre, Klaver, Norman, Rakow, Thomas and Weborg, who were excused.

The Journal for the Ninety-first Day was approved.

Petitions and Memorials

A petition was read, addressed to all members, favoring L. B. 127.

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 112 L. B. 194 L. B. 242 L. B. 386

GENERAL FILE

LEGISLATIVE BILL 255. Mr. Crossland offered the following amendment:

Amend page 5, Section 14, subdivision "f" by inserting in line 9 after the word "of" the words "not to exceed".

Mr. Peterson offered the following amendment to the Crossland motion:

Amend the Crossland motion by adding the words "twelve per cent per annum" and to strike the words "one per cent per month".

The Peterson amendment was adopted.

The Crossland amendment as amended was adopted.

Mr. Raecke presiding

Mr. Peterson requested unanimous consent to amend standing committee amendment No. 23 by renumbering the new sections 51 and 52 instead of 52 and 53.

Add the letters **"ed"** to the word **"suggest"** in Sec. 9, line 8.

No objection was offered. So ordered.

Standing Committee amendment number 1 and numbers 12 to 23, both inclusive, were adopted as amended.

Unanimous consent was granted to add the name of Mr. Tom C. Osborne as a co-introducer.

Laid over.

SELECT FILE

LEGISLATIVE BILL 79. Mr. James H. Anderson offered the following amendment, which was adopted by unanimous consent:

Amend Select File amendment No. 1 by James H. Anderson, shown on page 1326 of the Journal, by inserting after the word "acknowledgments" in lines 3 and 5 and in amendment No. 2 after the word "acknowledgments," the words and punctuation ", oaths and affirmations," in line 4.

Referred to E and R for engrossment.

LEGISLATIVE BILL 372. E and R amendments, found in the Legislative Journal for the Ninety-first Day, were adopted.

Referred to E and R for engrossment.

GENERAL FILE (Continued)

LEGISLATIVE BILL 419. Mr. Peterson asked unanimous consent to waive reading the bill.

No objection was offered. So ordered.

Referred to E and R for review.

Mr. Mueller presiding

LEGISLATIVE BILL 280. Read and considered.

Mr. Peterson offered the following amendment, which was adopted with 20 ayes, 6 nays, 13 not voting.

Amend the Committee amendment by striking the word "twenty" in line 3 of subdivision (2) and inserting the word "twelve".

Standing Committee amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted, as amended.

Referred to E and R for review.

LEGISLATIVE BILL 384. Mr. Mischke asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Laid over.

Approved by the Governor

May 15, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 433.

Respectfully submitted,
(Signed) Jean Spencer
Acting Secretary to the Governor.

MOTION—Special Order

Mr. Neubauer moved that L. B. 253 be made Special Order for Monday, May 17, 1943, at 10:00 a. m.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 300 L. B. 182 L. B. 167 L. B. 157

LEGISLATIVE BILL 195. Correctly engrossed.

(Signed) James H. Anderson, Chairman

NOTICE OF COMMITTEE HEARING

The Public Health and Miscellaneous Subjects Committee will hold a special meeting in the East Senate Chamber, Wednesday, May 19, 1943, at 1:30 p. m.

(Signed) Foster, Chairman

Signed by the Speaker

While the Legislature was in session and capable of transacting business, the Speaker signed:

L. B. 300 L. B. 182 L. B. 167 L. B. 157

Adjournment

At 12:00 m. on motion by Mr. Jeffords, the Legislature adjourned until 9:00 a. m., Monday, May 17, 1943.

Hugo F. Srb
Clerk of the Legislature.

NINETY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Monday, May 17, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Weborg, who was excused until 10:00 a.m.

The Journal for the Ninety-second Day was approved as corrected.

Petitions and Memorials

The following members introduced petitions: Mr. Crosby, 13, opposing L. B. 253; all members, 1, favoring L. B. 127.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 299 L. B. 160 L. B. 101 L. B. 443

(Signed) James H. Anderson, Chairman

BILLS ON THIRD READING

Mr. Foster moved that Legislative Bills 355, 38 and 264 be laid over.

The motion prevailed.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 337.

A bill for an act relating to paving or otherwise improving streets or the construction or improvement of a waterworks system or storm or sanitary sewers in cities of the first and second class and villages; to provide, under the prescribed conditions, for the acceptance of work that has been completed, the levy of special assessments and taxes and the issuance of bonds to pay the cost thereof.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 6:

Bowman
Jeppesen
Mekota
Norman
Ogden
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 321. With emergency clause.

A bill for an act relating to cities and villages; to provide that in addition to any other levies authorized by law for such purpose, all cities and villages, except cities of the metropolitan class, shall have power to levy a tax of not to exceed one mill on all taxable property, except intangible property, within such city or village until March 1, 1945, for the purpose of providing adequate policing to enforce the law where such city or village is located within a defense area; to include, for the purpose of this act, any area designated as a defense rental area or defense housing area, or both, as being a defense area; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 5:

Jeppesen
Mekota
Norman
Ogden
Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 22.

A bill for an act to amend section 12-124, C. S. Supp., 1941, relating to official bonds; to provide that when the term of a bond, executed by a surety company on behalf of a county officer and the premium on which has been paid by the county, shall be reduced to a shorter term than is provided in the bond by death, resignation or as otherwise provided, the surety company shall refund to the county the unearned portion of the premium for such bond, subject to a reasonable minimum premium charge; to provide a savings clause; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 5:

Dooley
Jeppesen
Norman
Ogden
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 314. Laid over.

LEGISLATIVE BILL 334. Read and laid over.

LEGISLATIVE BILL 365.

A bill for an act relating to railroads; to prohibit the location or maintaining of lights that interfere with the view of any railroad signal; and to provide procedure for removal of such lights.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Asimus
Bowman
Brodahl
Cullingham
Dooley
Doyle
Foster
Jeffords
Jeppesen
Klaver
Lee
Norman
Osborne
Peterson
Raecke

Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Gantz
Gutoski
Hanna
Heiliger
Hubka
Matzke
Mekota
Mischke
Mueller
Neubauer
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 5:

Anderson, James H.
Garber
Greenamyre
Ogden
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 387.

A bill for an act to amend section 39-229, C. S. Supp., 1941, relating to highways; to provide that the total mileage of the county road system shall not exceed forty per cent of the total mileage of all the public highways within the county; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 5:

Craven
Garber
Greenamyre
Ogden
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 369.

A bill for an act to amend section 77-2220, Compiled Statutes of Nebraska, 1929, relating to inheritance tax; to provide that unless the inheritance tax is ascertained and assessed within five years after the death of any decedent, dying after the effective date of this act, or within five years after the effective date of this act, as to any decedent whose death occurred prior thereto, the estate of the decedent shall not be liable for payment of inheritance taxes; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 0.

Not voting, 3:

Norman
Ogden
Weborg

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 385.

A bill for an act to amend section 85-302, Compiled Statutes of Nebraska, 1929, relating to officers of the Board of Education of State

Normal Schools; to provide for the election of a vice president and secretary of said board; to provide that all records shall be kept in the secretary's office in the State Capitol; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Bowman
Garber

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 297. With emergency clause.

A bill for an act relating to revenue; to authorize county boards to levy, only during each of the years 1943 and 1944, an annual tax upon all the taxable property within their corporate limits, except intangible property, for the relief of unemployed and indigent persons under certain conditions; to provide for the expenditure of moneys collected under the emergency act for the years 1941 and 1942; to limit the salaries and expenses of administration of all activities thereunder in all counties having a population of one hundred fifty thousand inhabitants or less to an amount not exceeding five per cent of the money collected under said emergency act and also under this act; to limit the salaries and expenses of administration of all activities conducted thereunder in all counties having a population of more than one hundred fifty thousand inhabitants to an amount not exceeding ten per cent of the money collected under said emergency act and also under this act; to repeal sections 77-1829, 77-1830 and 77-1831, C. S. Supp., 1941; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Garber
Osborne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 396. With emergency clause.

A bill for an act providing a limitation on the time within which actions upon a liability created by a federal statute, other than a forfeiture or penalty, for which actions no period of limitations is provided in such statute shall be commenced; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Norman
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for the Journal

Mr. President: Had I been present upon reading of L. B. 334, L. B. 365, and L. B. 387, I would have voted aye on all three bills.

(Signed) Greenamyre

MOTION—Special Order

Mr. Mueller moved that L. B. 287 be made a special order immediately following L. B. 253.

The motion prevailed, with 22 ayes, 14 nays, 7 not voting.

MESSAGE FROM THE GOVERNOR

Legislative Bill 225

May 17, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I desire to call your attention to a serious error that exists in Legislative Bill 225, which is before me for signature. The title of this bill refers to "a county high school organized under Article 10, Chapter 77". Evidently the introducers are referring to "Article 10, Chapter 79", but as drawn the bill is not correct.

The form of the ballot provided in the bill is also improper. It provides for voting

"For the discontinuance and dissolution * * *."

"Yes" ☐

"Against the discontinuance and dissolution * * *."

"No" ☐

This means that a vote "yes" is for the discontinuance and then the "no" vote would refer to the statement "against the discontinuance and dissolution * * *." The latter vote would consist of two negatives and could be construed as voting "no" on the question of being "against". In other words both votes would favor the discontinuance and dissolution of the district.

A broader question, however, is involved in this bill, and it might provide a means for creating more high school districts in Nebraska when it would appear that the modern tendency is toward more consolidations and fewer districts. Many interested parties have told me during the past two years that we are trying to support too many schools now.

I understand that this bill arises because of conditions existing in one certain county. If that is true, that problem might better be solved by amending Section 79-1014 to provide that the county high school need not be located at the county seat and giving the Board of Regents authority to fix its site. It must be remembered that a bill intended to solve difficulties in one county will, however, apply to all others and may cause trouble there.

The principal reason for this message, however, is to call the attention of the Legislature to the typographical errors which are carried in the bill.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

MESSAGE FROM THE GOVERNOR

Veto—Legislative Bill 166

May 17, 1943.

Mr. President, Mr. Speaker, and Members of the Legislature.

Gentlemen:

I am returning without my approval Legislative Bill 166.

One hundred five thousand dollars is a large sum of money, and I do not feel it should be appropriated, and certainly it should not be spent, unless we are certain that good results will be accomplished. In my judgment, the provision that no salary can be paid in excess of three hundred dollars per month makes this bill impractical. Special qualifications would be necessary to enable the secretary of this council to be of real service to the people of Nebraska, and I am certain that a suitable person could not be employed with this salary limitation. It has been suggested that additional salary could be cared for by private contributions. It is doubtful if such action would be legal, and surely it would be contrary to good public policy as the employee should be under obligation only to the people of the entire state.

Even if L. B. 166 is not enacted, it must be remembered that the appropriation bill provides for the continuation of the Chemurgic Council, and the further gathering of information as to the better use of our agricultural products. It is also my plan to call a meeting next fall of interested parties to form an unofficial council representing the entire state to plan for a better future for Nebraska. I am sure that such activity can be carried on without the expenditure of public funds.

Many of Nebraska's best farmers and most progressive-minded and best citizens have supported L. B. 166. I feel, however, that most of its important work will be continued by the Chemurgic Council and through the formation of the agency which I have suggested.

In view of these conditions, I am therefore declining to approve this legislation.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor.

GENERAL FILE

Special Order

LEGISLATIVE BILL 253. Read and considered.

Standing Committee amendments numbered 1, 2 and 3, found in the Legislative Journal for the Fifty-fifth Day, were adopted.

Mr. Raecke moved to postpone indefinitely.

No action taken.

Recess

At 12:00 m. on motion by Mr. Foster, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present.

GENERAL FILE

LEGISLATIVE BILL 253. Debate on the Raecke motion to postpone indefinitely was continued.

Mr. Sorrell moved the previous question.

The President put the question, "Shall the debate now close?"

The motion was lost with 16 ayes, 9 nays, 18 not voting.

Mr. Greenamyre Presiding

Mr. Raecke moved a call of the House.

A call of the House was ordered.

Forty-three members were present.

Mr. Raecke moved to raise the call.

The motion was lost with 4 ayes, 25 nays, 14 not voting.

The Chair declared the call raised.

Mr. Raecke moved a call of the House.

The motion prevailed with 20 ayes, 12 nays, 11 not voting.

Mr. Mueller moved to raise the call.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Record vote was requested on the motion to postpone.

Voting in the affirmative, 23:

Anderson, D. S.
Anderson, James H.
Brodahl
Burnham
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Hubka
Jeffords
Jeppesen
Lee
Mischke
Mueller
Norman
Ogden
Raecke
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 19:

Asimus
Bowman
Carmody
Conklin
Craven
Dooley
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Matzke
Mekota
Neubauer
Osborne
Peterson
Sorrell
Thomas
Weborg

Not voting, 1:

Klaver

The motion prevailed.

Explanation of Vote

Mr. Chairman: Due to the fact that in the next two years much research work can be done on this kind of legislation, I vote aye.

(Signed) Doyle

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 261. Placed on Select File with amendments.

E and R amendments to L. B. 261:

1. In General File amendments by Mr. Doyle, third line, strike the comma after "plan"; in the last line, strike the period after "retirement".

2. In the bill, Section 1, pages 2, 3 and 4, line 1, strike "(1)" and in lieu thereof insert "(1) ."; line 10, strike "two" and insert "two-"; line 14, strike the colon after "removal" and in lieu thereof insert: ": ; "; line 31, strike "not only" and in lieu thereof insert "not only"; line 32, strike ", but likewise," and in lieu thereof insert: ", but likewise, and"; line 40, strike "(2)" and in lieu thereof insert "(2) ."; line 50, after "before" insert "or after"; line 55, strike "become" after "may" and in lieu thereof insert "be"; line 59, before "employee" insert "the"; line 62, strike the comma before "and" and strike the word "no" and in lieu thereof insert: "no . No"; line 65, strike ","; line 66, after "fifty" insert "dollars"; line 67, after "as" insert "a" and strike ", and to" and in lieu thereof insert: ", . To"; line 73, strike "and" after "funds" and in lieu thereof insert "and ,"; insert "," in line 4 after "district", line 7 after "placed", line 57 after "plan" and also after "directors", line 68 after "benefit", line 77 after "appointees", line 78 after "act"; strike the comma and in lieu thereof insert "," in line 6 after "year", line 11 after "board", line 44 after "district", line 58 after "basis", line 79 after "process"; strike the comma in line 74 after "costs".

3. In the bill, title, page 1, strike "to" at the end of the 4th line and all of the 5th to 12th lines, inclusive, and "plan adopted;" in the 13th line; 14th line, before "present" insert: ", insurance of and annuities for"; 15th line, strike "against" and in lieu thereof insert "covering"; 16th line, before "disability" insert "total and permanent" and after "retirement" insert: ", all or any of them,"; 17th line, after "board" and before the semicolon insert: "from time to time".

4. In the bill, Section 1, page 2, line 1, strike "Subdivision and in lieu thereof insert "Subdivision".

LEGISLATIVE BILL 72. Placed on Select File with amendments.

E and R amendments to L. B. 72:

1. In General File amendment No. 1, by Mr. Garber, 2nd line, after "lines" insert: "and amendments thereto" and strike the word "and" after the quotation mark and before "no"; strike the period after "district" at the end of the inserted matter; insert "," in the 3rd line after "plant".

2. In General File amendment No. 3, by Mr. Garber, strike "inserting in lieu thereof" in the 2nd line, and in lieu thereof insert: "showing same as stricken matter, and then add"; strike "60%" in the third line, and in lieu thereof insert "sixty per cent"; 7th line, strike the comma after "district" and insert "," after "or"; 8th line, strike the figure "5" and in lieu thereof insert "five".

3. In General File amendment by Mr. Matzke, 1st line, after "matter" insert "in Garber's amendment"; strike all of the 6th line after "under" and in lieu thereof insert: "legislative bill 204, fifty-sixth session of the Nebraska State"; 7th line, before "to" insert "1943," and strike the period after "district".

4. In General File amendment by Mr. Matzke, amending Matzke amendment, strike the comma after "lines" and before "or".

5. In the bill, Section 1, page 2, strike the comma and in lieu thereof insert ";" in line 4 after "system", line 5 after "village".

6. In the bill, title, page 1, 7th line, after "districts" and before the semicolon, insert: "to any private person, firm, association or corporation"; strike "to" at the end of the 8th line, all of the 9th line and "state" in the 10th line, and in lieu thereof insert: "of such a, plant, system or lines by any city or village to a public power district and also by any of the within designated public power districts to any other public power district; to provide that all such sales, leases and transfers shall not be valid unless authorized and approved, at a general or special election, by sixty per cent of the electors voting on such proposal; to provide for notice of such elections".

7. Strike General File amendment No. 2 by Mr. Garber, as the inserted word is already shown in line 6.

LEGISLATIVE BILL 419. Placed on Select File with amendments.

E and R amendments to L. B. 419:

1. In the bill, Section 1, page 2, line 6, strike "; which rate of interest so agreed upon" and in lieu thereof insert: "; which rate of

interest so agreed upon **and**"; line 7, strike "or" before "for" and in lieu thereof insert "or"; line 12, after "**under**" insert "**a**"; line 18, strike "; **or**" and in lieu thereof insert "**, 1943; or**" and in said line before "**Legislature**" insert "**State**", and strike "**of the**" and in lieu thereof insert "**,**"; line 19, strike "**Legislature**" and in lieu thereof insert: "**State Legislature, 1943**"; strike the comma and in lieu thereof insert "," in line 5 after "goods", line 7 after "period", line 9 after "fixed"; line 17, strike "**of the**" after "43,".

2. In the bill, Section 2, pages 2 and 3, strike the comma and in lieu thereof insert "," in line 4 after "goods", line 8 after "fixed"; line 11 after "**under**" insert "**a**"; line 16, strike "**of the**" after "43,"; line 17, strike "**Legislature;**" and in lieu thereof insert: "**State Legislature, 1943;**" and strike "**of the**" at the end of the line and in lieu thereof insert "**,**"; line 18, strike "**Legislature**" and in lieu thereof insert: "**State Legislature, 1943**".

3. In the bill, Section 3, page 3, line 22, strike the period after "**1941**" and in lieu thereof insert: "**and any amendments thereof.**".

4. In the bill, Section 4, page 3, strike the comma after "sections" in line 1.

5. In the bill, title, page 1, 5th line, before "license" insert "a".

LEGISLATIVE BILL 280. Placed on Select File with amendments.

E and R amendments to L. B. 280:

1. In Standing Committee amendment No. 1, inserted matter, 3rd line, insert "**,**" after "**property**"; 8th line, before "**each**" insert "**of**"; amendment No. 2, 2nd line, strike "26"; amendment No. 5, page 2, 4th line, strike "twenty" and in lieu thereof insert "twelve".

2. In the bill, Section 1, pages 2 and 3, line 7, before "number" insert "**(a)**"; line 8, strike "; the" and in lieu thereof insert: ", the **, (b)**"; line 9, strike "the number of" and in lieu thereof insert: "**(c)** the number **and value of the**"; strike all of line 10 after "each" and in lieu thereof insert: "**stockholder** and the value of the shares owned by each"; line 11, after "and" and before "the" insert "**(d)**"; line 12, strike "shall" and in lieu thereof insert "shall"; line 13, after "if" insert "**there is**" and strike the comma after "assessor" and in lieu thereof insert: "**in that county, then**"; line 14, strike "him" and in lieu thereof insert: "him **such officer**"; line 28, strike "at" after "held" and in lieu thereof insert "at **as**"; line 35, strike ", and" and in lieu thereof insert: ", and **or,**"; lines 36 and 37, strike: "Trade and Com-

merce; and if" and in lieu thereof insert: "~~Trade and Commerce~~ **Banking**~~;~~ ~~and if~~ **. If**"; line 44, strike "shall" and in lieu thereof insert "~~shall~~"; line 45, strike "; and for" and in lieu thereof insert: "~~;~~ ~~and for~~ **. For**"; strike the comma and in lieu thereof insert "~~,~~" in line 5 after "company", line 6 after "oath", line 11 after "April", line 26 after "deeds", line 27 after "title", line 30 after "taxation" and also after "surplus", line 46 after "stock", line 50 after "company"; insert "**,**" in line 22 after "therein", line 24 after "property", line 27 after "estate", line 28 after "loans", line 33 after "stock" and also after "and", line 34 after "bank", line 39 after "company", line 45 after "assessment".

LEGISLATIVE BILL 332. Placed on Select File with amendments.

E and R amendments to L. B. 332:

1. In Section 2, pages 1, 2 and 3, line 11, strike the semicolon after "membership" and in lieu thereof insert "~~;~~ ,"; line 12, strike the semicolon after "terminated" and in lieu thereof insert "~~;~~"; line 14, strike "issue" and in lieu thereof insert "~~issue~~ **issuance**" and in said line strike "certificates" and in lieu thereof insert "~~certificates~~"; line 17, strike the semicolon and in lieu thereof insert "~~;~~ ," after "January" and also after "meetings"; line 18, strike the semicolon after "meetings" and in lieu thereof insert "~~;~~"; line 22, strike "now" and in lieu thereof insert "not"; strike the comma and in lieu thereof insert "~~,~~ **and**" in line 24 after "directors"; lines 28 and 31, after "three," insert "**and**"; strike the comma and in lieu thereof insert "~~,~~" in line 4 after "to", line 22 after "duties", line 25 after "election", line 29 after "election", line 32 after "election", line 62 after "fines"; line 39, strike the comma after "**to**"; line 43 insert "**,**" after "**that**"; line 51, strike "**such**" and in lieu thereof insert "**only the**"; line 52, strike "**only**"; line 71, strike the comma after "only".

2. Section 3, pages 3 and 4, line 4, strike "the" and in lieu thereof insert "~~the~~"; line 7, strike the comma after "24-1309"; line 8, after "1929" and before the semicolon, insert: "**and amendments to said section 24-1310, in section 2 of this act**"; line 14, strike the period after "business" and in lieu thereof insert a semicolon, and after "Provided" insert ","; line 17, after "~~and~~" insert "~~,~~" and strike the comma after "office" and in lieu thereof insert "~~,~~"; line 18, strike "shall" and in lieu thereof insert "~~shall~~"; line 22, strike "in" and in lieu thereof insert "~~in~~ **of**" and in said line strike "is located" and in lieu thereof insert "~~is located~~"; line 23, after "association" insert "**is located**".

3. Section 4, page 4, line 6, strike "~~of this act~~~~,~~" and in lieu thereof insert: "**as amended by section 3** of this act,"; line 7, insert ","

after "directors"; strike the comma and in lieu thereof insert ";" in line 9 after "meeting", line 10 after "committee", line 14 after "committee", line 16 after "committee"; strike the word "a" and in lieu thereof insert "~~a~~" in line 14 before "credit" and before "supervisory", line 19 before "vice-", line 20 before "secretary"; line 16, strike "the" before "supervisory" and in lieu thereof insert "~~the~~"; line 20, strike ", and a" and in lieu thereof insert: "; and ~~a~~"; line 23, after "**obtain**" insert "**a license**"; line 24, strike "**a license**" and in said line strike "**so to**" and in lieu thereof insert "**to so**"; line 25, strike the comma after "committees" and in lieu thereof insert ";".

4. Section 5, pages 5, 6 and 7, line 4, strike "the" and in lieu thereof insert "~~the~~"; line 6, after the comma and before "the" insert: "**as amended by section 3 of this act,**" and at the end of said line, strike "have power" and in lieu thereof insert "~~have power~~"; line 7, after "act" and before the colon, insert: "**, have power to**"; line 8, strike "To adopt" and in lieu thereof insert "~~To adopt~~ **Adopt**" and strike "to" before "alter" and in lieu thereof insert "~~to~~"; line 10, strike "To have" and in lieu thereof insert "~~To have~~ **Have**"; line 13, strike "To make" and in lieu thereof insert "~~To make~~ **Make**"; line 15, strike "To purchase" and in lieu thereof insert "~~To purchase~~ **Purchase**", strike "or" before "receive" and in lieu thereof insert "~~or~~"; line 18, strike "To sue" and in lieu thereof insert "~~To sue~~ **Sue**"; line 20, strike "To issue" and in lieu thereof insert "~~To issue~~ **Issue**"; line 21, strike "thereof, ~~and~~ to" and in lieu thereof insert: "**therefor,** ~~and to~~"; line 22, strike "**, and to**" and in lieu thereof insert "**and**"; line 23, strike "**, together with**" and in lieu thereof insert "**and**"; line 28, strike "To receive" and in lieu thereof insert "~~To receive~~ **Receive**"; line 30, strike "and" and in lieu thereof insert ", ~~and~~"; line 31, strike "**, and to**" and in lieu thereof insert "**and**"; line 36, strike "To borrow" and in lieu thereof insert "~~To borrow~~ **Borrow**"; line 37, strike "To make" and in lieu thereof insert "~~To make~~ **Make**"; line 38, strike "To deposit" and in lieu thereof insert "~~To deposit~~ **Deposit**"; line 11, strike "To invest" and in lieu thereof insert "~~To invest~~ **Invest**"; line 41, strike "in" and in lieu thereof insert "~~in~~"; line 42, strike ", or in" and in lieu thereof insert "; ~~or in~~"; line 44, strike "To charge" and in lieu thereof insert "~~To charge~~ **Charge**"; line 46, strike "To impose" and in lieu thereof insert "~~To impose~~ **Impose**"; and before "meet" insert "**promptly**"; line 47, strike "promptly" and in lieu thereof insert "~~promptly~~"; line 48, strike "To expel" and in lieu thereof insert "~~To expel~~ **Expel**"; line 50, strike "To impress" and in lieu thereof insert "~~To impress~~ **Impress**"; line 51, after "him" insert "**and**"; line 53, strike "To cancel" and in lieu thereof insert "~~To cancel~~ **Cancel**"; line 57, strike "To exercise" and in lieu thereof insert "~~To exercise~~ **Exercise**"; line 62, strike the comma after "Corporation" and in lieu thereof insert "; and"; line 63, strike "such bank not to" and in lieu thereof insert: "~~such~~

bank **shall** not ~~to~~"; insert "," in line 4 after "by-laws", line 39 after "funds", line 40 after "members", line 64 after "Corporation", line 65 after "limitation" and also after "deposits", line 66 after "Banks", line 69 after "association", line 70 after "time"; strike the comma and in lieu thereof insert ";" in line 15, after "bequest", line 16 after "devise" and also after "hold", line 17 after "business", line 19 after "association", line 52 after "fines", line 71 after "member".

5. Section 6, page 7, line 8, strike "**provided that**" and in lieu thereof insert "**if**"; lines 12 and 13, strike "to the association" and in lieu thereof insert "~~to the association~~"; line 13, strike "to it" and in lieu thereof insert "~~to it~~" and at the end of said line, after "therefor" and before the period, insert: "**to the association**".

6. Section 7, pages 7 and 8, line 4, strike ", or to" and in lieu thereof insert "; or ~~to~~"; line 7, after "meeting," insert: "**which is attended by**"; lines 7 and 8, strike "attending, the notice of which meeting shall have" and in lieu thereof insert: "~~attending~~; **and which is held after** ~~the~~ a notice of ~~which~~ **such** meeting **which** ~~shall have~~"; line 12, before "any" insert: "**as amended by this act,**"; line 20, strike "but" and in lieu thereof insert: "~~but~~ **Provided, however,**"; strike the comma and in lieu thereof insert ";" in line 3 after "director", line 5 after "association", line 12 after "director"; insert "," in line 12 after "member", line 16 after "and" and also after "thereof".

7. Section 8, page 8, line 4, strike the comma after "necessary" and in lieu thereof insert ";"; line 10, strike "shall" and in lieu thereof insert "~~shall~~"; line 15, strike ", or" and in lieu thereof insert "; or ,"; line 20, strike the comma after "**loan**".

8. Section 9, pages 8 and 9, strike the comma and in lieu thereof insert ";" in line 4 after "accounts", line 5 after "months", line 6 after "directors", line 13 after "association", line 17 after "directors", line 21 after "director"; line 5, strike the comma after "time" and in lieu thereof insert "; **and**"; line 10, strike "they" and in lieu thereof insert: "~~they~~ **this committee**"; line 12, strike ", which" and in lieu thereof insert "; ~~which~~ **. This**"; line 15, after "have" insert "**the**" and after "by" insert "**a**"; line 18, strike "; or" and in lieu thereof insert "; ~~or~~ **and**"; line 20, strike "they do" and in lieu thereof insert: "~~they do~~ **the committee does**"; line 23, strike "lay" and in lieu thereof insert "~~lay~~ **present**"; and in said line, strike "before a special meeting of" and in lieu thereof insert: "~~before a special meeting of~~ **to**"; and at the end of said line, after "association" insert: "**, at a special meeting thereof,**"; line 25, after "deems" insert "**it**" and strike "they" and in lieu thereof insert "~~they~~ **the committee**"; line 26, strike "their" and in lieu thereof insert "~~their~~ **its**" and strike "them," and in lieu thereof insert "~~them~~; **it**";

line 29, strike "their" and in lieu thereof insert "~~their~~ **its**"; insert "," in line 4 after "association".

9. Section 10, pages 9 and 10, line 7, strike ", and" and in lieu thereof insert "; and ,"; line 11, strike "any" and in lieu thereof insert "~~any~~ **an**"; line 12, strike "that it" and in lieu thereof insert "~~that it~~"; line 13, strike "any" and in lieu thereof insert "~~any~~"; lines 19 and 20, strike "may determine either" and in lieu thereof insert: "~~may~~ **either** ~~determine~~ **determines** ~~either~~"; line 23, strike the comma after "manner" and in lieu thereof insert "; **and** ,"; strike the comma and in lieu thereof insert ";" in line 6 after "securities", line 9 after "power", line 10 after "testimony", line 11 after "reports"; insert "," in line 8 after "examination", line 11 after "appear"; strike the comma and in lieu thereof insert ";" in line 13 after "state".

10. Section 11, pages 10 and 11, strike all of line 1, except "Sec. 11." and all of line 2, and "**necessary so to do,**" in line 3, and in lieu thereof insert: "**Each and every executive officer and such other employees as the Department of Banking deems necessary**"; line 4, strike "**to**" before "**execute**" and in lieu thereof insert "**shall**"; line 6, strike "**, which**" and in lieu thereof insert "**. This**"; line 7, strike "**bank**" and in lieu thereof insert "**association**" and after "**loss**" insert: "**, either of money or property,**"; line 8, strike "**of money or property**"; line 9, strike "**that**" and in lieu thereof insert "**money or property**"; line 13, strike "**The**" and in lieu thereof insert: "**Such bond or**"; line 14, strike "**and**" after "**Banking**" and in lieu thereof insert "**,**"; lines 15 and 16, strike "**. The bonds shall**" and in lieu thereof insert "**and**"; strike "**,**" in line 11 after "**misappropriation**", line 12 after "**act**".

11. Section 12, page 11, line 1, after "**shall**" insert "**(a)**"; line 2, strike "**or**" before "**make**" and strike the comma after "**make**"; line 3, strike "**false**" and after "**in**" insert "**the**"; line 4, strike "**or shall**" and in lieu thereof insert "**(b)**"; line 7, strike "**or shall**" and in lieu thereof insert "**(c)**"; line 9, strike "**or shall**" and in lieu thereof insert "**(d)**"; line 12, strike "**, or shall**" and in lieu thereof insert "**or (e)**"; line 14, insert "**,**" after "**association**"; strike the comma in line 15 after "**felony**".

12. Title, page 12, 6th line, before "executive" insert "all"; 7th line, strike "and employees" and in lieu thereof insert: "of such associations and such other employees thereof as the Department of Banking deems necessary", and in said line, strike the word "both" and after "and" and before "the" insert "also to".

LEGISLATIVE BILL 296. Placed on Select File with amendments.

E and R amendments to L. B. 296:

1. In General File amendment by Mr. Craven, to Section 5 of the Standing Committee amendments, 1st line, strike "Section" and in lieu thereof insert "amendment No."; 2nd line, strike "section" and in lieu thereof insert "amendment".

2. In General File amendment by Mr. Craven, to "Section 6" of the Standing Committee amendments, 1st line, strike "Section" and in lieu thereof insert "amendment No."; 2nd line, strike "section" and in lieu thereof insert "amendment"; 3rd line, strike "section" and in lieu thereof insert "amendment No."; 4th line, after "and" and before "a" insert "in lieu of Sec. 5 of the original bill"; 5th line, after the quotation mark and before "Any" insert "Section 1."; in the 6th line strike the comma after "rates".

3. In General File amendment by Mr. Craven, Section 10, 1st line of the inserted matter, after the quotation mark and before "All" insert "Sec. 6."; insert "," in the 5th line after "loan" and also after "part" and strike the comma after "time"; 6th line, insert "," after "prepayment" and strike "by payment"; 7th line, strike the comma after "renewal"; 15th line, after "to" and before "date" insert "the"; amendment No. 10, strike the quotation mark after "14" and after "inclusive," insert a quotation mark.

4. In the bill, Section 3, formerly 7, page 4, line 2, after "as" insert "a"; line 4, after "**is**" insert "the"; and in said line strike "**provided that**" and in lieu thereof insert "if"; line 7, strike "**, and the**" and in lieu thereof insert ". The"; and in said line, after "**such**" insert "a"; line 13, strike "**provided that**" and in lieu thereof insert "if"; insert a comma after "**person**" and also after "**borrower**" in line 2.

5. In the bill, Section 4, formerly 8, page 5, line 1, strike "**the proceeds or**" and after "**part**" insert "or all"; line 8, after "**make**" insert "the"; line 9, after "**provided**" insert "for" and strike "**, and the**" and in lieu thereof insert ". The".

6. In the bill, Section 5, formerly 9, page 5, line 2, strike the comma after "**deducted**".

7. In the bill, Section 8, formerly 12, pages 6 and 7, line 6, strike "**and**" and in lieu thereof insert ","; line 9, strike "**, and the**" and in lieu thereof insert ". The" and after "**may**" insert "also"; line 14, after "**by**" insert "the"; line 18, strike "**and shall not**" and in lieu thereof insert ", nor"; line 21, strike "**, or**" and in lieu thereof insert "or,"; lines 23 and 24, strike "**, which shall include**" and in lieu thereof insert "including therein"; line 25, strike the comma after "**pay**" and in lieu thereof insert "and" and in said line, strike "**the**" before

"**expiration**"; insert a comma in line 4 after "**protection**", line 5 after "**act**", line 17 after "**company**", line 20 after "**shall**", line 29 after "**borrower**", line 30 after "**loan**"; strike the comma in line 6 after "**destruction**", line 22 after "**them**", line 26 after "**policy**".

8. In the bill, Section 9, formerly 13, page 7, insert a comma in line 2 after "**borrower**" and also after "**made**".

9. In the bill, Section 11, formerly 15, page 7, strike the comma in line 3 after "**misleading**", line 4 after "**terms**".

10. In the bill, Section 12, formerly 6, page 7, insert a comma in line 8 after "**periods**"; line 10, after "**such**" insert "a".

11. In the bill, Section 14, formerly 18, page 8, line 3, strike "**, and shall**" and in lieu thereof insert "and"; line 4, insert a comma after "**statement**" and also after "**Banking**", line 7 after "**records**", line 8 after "**section**".

12. In the bill, Section 15, formerly 19, page 8, strike the comma in line 3 after "**act**", line 6 after "**interest**", line 13 after "**dollars**"; line 7, after "**and**" and before "**the**" insert "any of"; lines 10 and 11, strike "**, and**" and in lieu thereof insert "and,"; insert a comma in line 11 after "**thereof**".

13. In the bill, Section 16, formerly 20, pages 8 and 9, line 2, after "**preventing**" insert "a"; line 4, strike "**to prevent**" and in lieu thereof insert "preventing"; line 6, strike "**to execute**" and in lieu thereof insert "executing"; line 8, strike "**, or to require**" and in lieu thereof insert "or requiring".

14. In the bill, title, page 1, 4th line, strike "regulate" and in lieu thereof insert "prescribe regulations for"; 6th line, after "charges" insert: ", including interest,"; 8th line, strike the comma after "payment"; 8th line, after "loans;" insert: "to give the Department of Banking certain prescribed powers and duties in regard thereto; to define terms; to prohibit certain statements in the advertisements published or distributed by such companies;".

LEGISLATIVE BILL 327. Replaced on Select File with amendments.

E and R amendments to L. B. 327:

In Standing Committee amendments, Section 1, line 14, insert the word "is" before "receiving".

And in Section 3, page 3, strike the word "the" at the end of line 31, same being repeated at the beginning of line 32.

LEGISLATIVE BILL 96. Replaced on Select File with amendments.

E and R amendments to L. B. 96:

1. In Select File amendments by Mr. Greenamyre, to section 9, line 49, after "Account" insert "number"; to section 9, lines 12 to 14, 2nd line, strike "14" and in lieu thereof insert: "15", and after "inclusive," insert: "and amendments thereto"; to section 9, lines 32 and 34, inclusive, 2nd line, strike "and" before "34" and in lieu thereof insert "to", and after "inclusive," insert: "except "in-" at the end of line 34, and all amendments thereto,"; to section 38, line 19, strike "Reappropriate" at the beginning of the insertion and in lieu thereof insert: "", reappropriate"; to section 20, insert "number" after "account" in lines 6 and 11.

2. In the mimeographed bill, Section 47, formerly 45, page 27, line 8, strike: "of State Institutions".

(Signed) James H. Anderson, Chairman

Public Works

LEGISLATIVE RESOLUTION 34. The Committee recommended that the Resolution be considered as amended.

Amended Resolution 34

WHEREAS, in the year 1933 the Legislature, by Senate File No. 310, now sections 70-701 to 70-717, inclusive, C. S. Supp., 1941, provided for the organization of public power and public power and irrigation districts in this state; and

WHEREAS, at the time of the enactment of Senate File No. 310 above mentioned, it was contemplated by the Legislature that the districts formed under the provisions of said act would be organized and operated for the purpose of producing and supplying electrical energy for a relatively small part of the state, either within the districts or in the immediate vicinity thereof, and it was not contemplated that one district would own the distribution systems and other districts the generating facilities; and

WHEREAS, the enlargement of the scope of the original purpose of Senate File No. 310 has created new and additional problems, which require legislative action; and

WHEREAS, under this legislation, problems have arisen between Public Power Districts and municipalities and between large and small Public Power Districts; and

WHEREAS, at the present legislative session statutes on this subject are being amended and new legislation is being enacted, the actual results of which should be studied; and

WHEREAS, it is desirable that all of the activities of existing Public Power Districts, both in the past and for the future, including the activities of financial representatives dealing with or representing the districts in the sale of securities, acquisition of properties or other transactions and including all activities of the districts in seeking to influence the determination of public policies by municipalities or the election of persons to public office or to directorships in the districts, should be studied as a basis for future legislation; and

WHEREAS, such studies are the function of the Legislative Council under existing laws of the state with appropriate authority;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

A. That the Legislative Council be directed to examine into and make a study of the following matters:

(1) The business and affairs of public power districts, public power and irrigation districts, and any other public body and commission created for the purpose of the generation, distribution and sale of electrical energy in this state;

(2) The purchase by public power districts and public power and irrigation districts of electric power plants, distribution systems and transmission lines from private power companies in this state;

(3) The financing of such purchases by public power districts and public power and irrigation districts within this state;

(4) The issuance of general revenue bonds and general obligation

bonds by public power districts, public power and irrigation districts, or other political subdivisions of this state in connection with such purchases;

(5) The fees and expenses paid to attorneys, agents, fiscal agents and intermediaries in connection with the purchase, financing and issuance of bonds to acquire electric power plants, distribution systems and transmission lines in this state, and the money or profit made in consummating said purchases and in handling such bonds;

(6) The political activities of public power districts, public power and irrigation districts and privately owned public utilities selling electrical energy, their officers, agents and servants, and the fees and expenses paid in connection therewith;

(7) The business and affairs of the Nebraska Public Power System, sometimes referred to as the Nebraska Public Power Pool, and the making of agreements for division of territory in this state, and the exchange and interchange of electric current and facilities brought about by such public power pool;

(8) The activities of Public Power Districts or Peoples Power Districts organized hereafter under existing statutes or laws enacted at this session as to any of the items above enumerated and in addition any proposed acquisition of electric utility systems on the basis of voluntary purchase and sale, the information supplied to the electorate in any referendum election with reference to any such proposed acquisition and to initiate a convening of the Legislature into Special Session, if the conditions developed indicates the necessity therefor; and

(9) All other matters necessary to afford the Legislature a clear perspective and view of the entire electrical power situation in this state as the basis for enactment of necessary legislation. The Legislative Council shall recommend to the next regular session of the Legislature a definite policy and concrete legislative program, respecting the regulation of public bodies selling and distributing electrical energy in this state, and the lobbying activities of such bodies and others in connection therewith.

B. The Legislative Council shall appoint a subcommittee of five of its members and shall name a chairman thereof, and said investigation, examination and study shall be made by the subcommittee under the supervision of the Legislative Council. No individual member of the Legislative Council shall make or issue statements concerning the investigation and all statements relative thereto shall be made in the name of the Legislative Council. All hearings held shall be public.

The examination and investigation of the subcommittee shall be completed and final report made to the Legislative Council on or before October 1, 1944.

C. In carrying on the duties herein authorized, the Legislative Council and its subcommittee shall be entitled to call upon and have the assistance of the offices of the Attorney General, the Auditor of Public Accounts, the State Engineer, and any other public official paid out of state funds.

D. In carrying out the duties imposed by this resolution, the Legislative Council shall have all of the powers conferred upon it by the provisions of Article 5, Chapter 50, C. S. Supp., 1941, and shall also be authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, to administer oaths, and to employ counsel, stenographers, clerks and such other members as may be necessary for the purpose of investigation. The Legislative Council shall have full power and authority, and it shall be its duty to prosecute its inquiries in any and every direction and by any and every means necessary or proper to enable it to obtain information in regard to its report on matters contemplated in this resolution; that, whenever, in its judgment, the public interest demands, the Legislative Council may require any public officer, deputy, assistant or any public employee paid, directly or indirectly, by means of public funds, or any individual, to testify before them and to produce books, papers or other documents in obedience to the subpoena of the Legislative Council. The subcommittee appointed by the Legislative Council shall have all of the powers conferred upon the Legislative Council by this section.

E. The Legislative Council shall report in full to the Legislature at its next session whether special or general.

(Signed) Mischke, Chairman

REQUEST—To Recall Legislative Bill 225

Mr. Jeffords asked that unanimous consent be granted to recall L. B. 225 from the Governor's office for correction.

No objection was offered. So ordered.

Members Excused

Mr. Matzke was excused for Tuesday.

Mr. Tvrdik was excused for Wednesday to serve as a pallbearer at a funeral.

Adjournment

At 5:55 p.m. on motion by Mr. Peterson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

NINETY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 18, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Matzke, who was excused.

The Journal for the Ninety-third Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. 396
L. B. 387
L. B. 385
L. B. 369
L. B. 365
L. B. 337
L. B. 321
L. B. 297
L. B. 22

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 396
L. B. 387
L. B. 385
L. B. 369
L. B. 365
L. B. 337
L. B. 321
L. B. 297
L. B. 22

RESOLUTIONS

LEGISLATIVE RESOLUTION 36. Diversion and Use of Stored Water

Introduced by Robert B. Crosby of Lincoln.

WHEREAS, an issue has arisen as to whether the state should permit the diversion and use of stored water to irrigate lands outside of the basin from which the water was originally taken; and

WHEREAS, the problem is of state-wide importance, and should receive careful study and research into all relevant factors affecting the problem before finally determining the legislative policy of the state:

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

1. That the Legislative Council be directed to make a study of the above described problem.

2. That the Legislative Council be directed to report to the next regular session of the Legislature with definite recommendations.

Mr. Crosby asked that unanimous consent be granted to consider the resolution at once.

No objection was offered. So ordered.

Mr. Crosby moved that the resolution be adopted.

The motion prevailed with 22 ayes, 7 nays, 14 not voting.

LEGISLATIVE RESOLUTION 34. Read and considered.

Mr. Mischke moved that the committee amendments to the resolution be adopted.

Mr. Craven moved that the Legislature not concur in the committee amendments to Legislative Resolution 34 and that the same be placed on General File as introduced.

Record vote was requested.

Voting in the affirmative, 17:

Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crossland
Garber
Jeffords
Jeppesen
Klaver
Mekota
Mueller
Osborne
Raecke
Sorrell
Weborg

Voting in the negative, 19:

Anderson, D. S.
Anderson, James H.
Brodahl
Crosby
Cullingham
Doyle
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Lee
Mischke
Norman
Ogden
Peterson
Rakow
Reavis
Thompson

Not voting, 7:

Dooley
Foster
Gantz
Matzke
Neubauer
Thomas
Tvrdik

The motion was lost.

The following members asked that unanimous consent be granted to remove their names as introducers:

Craven
Osborne
Carmody
Weborg
Jeffords
Jeppesen
Asimus
Garber
Neubauer

No objection was offered. So ordered.

Mr. Conklin asked that unanimous consent be granted to remove his name as an introducer.

Objection was raised by Mr. Rakow.

Mr. Conklin moved that his name be removed as an introducer.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Mr. Mischke moved that the Standing Committee amendments be adopted.

Record vote was requested.

Voting in the affirmative, 23:

Anderson, James H.
Brodahl
Crosby
Crossland
Cullingham
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Lee
Mischke
Norman
Ogden
Peterson
Rakow
Reavis
Thomas
Thompson
Tvrdik

Voting in the negative, 17:

Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Doyle
Garber
Jeffords
Jeppesen
Mekota
Mueller
Neubauer
Osborne
Raecke
Sorrell
Weborg

Not voting, 3:

Anderson, D. S.
Dooley
Matzke

The motion prevailed.

Mr. Garber moved to postpone indefinitely.

The motion was lost with 15 ayes, 20 nays, 8 not voting.

Mr. Sorrell offered an amendment which was lost with 8 ayes, 24 nays, 11 not voting.

Mr. Craven offered the followinng amendment, which was adopted:

Amend Legislative Resolution 34, Legislative Journal, Ninety-third Day, Subdivision B, by adding after the word "public" in line 7, the following words and punctuation: "All testimony taken shall be taken in shorthand and extended to typewriting and filed with the Legislative Council for the inspection of the public".

Mr. Doyle offered the following amendment, which was adopted:

In Section E, strike the words "in full".

Mr. Cullingham moved that the resolution be adopted as amended.

The motion prevailed with 26 ayes, 8 nays, 9 not voting.

Approved by the Governor

May 17, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 112
L. B. 157
L. B. 167
L. B. 182
L. B. 194
L. B. 242
L. B. 300
L. B. 386

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

Message From the Governor

Appointment—Mr. Bihler

May 18, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I desire to inform your honorable body that I am in receipt of the resignation of Arthur C. Storz as a member of the Game, Forestation and Parks Commission, and I therefore desire to withdraw that appointment from your further consideration.

I am today appointing for the vacancy on the Game, Forestation and Parks Commission expiring January 15, 1947, Mr. Ernest Bihler of Omaha.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor of Nebraska.

Recess

At 12:00 m. on motion by Mr. Doyle the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Matzke, who was excused.

SELECT FILE

LEGISLATIVE BILL 176. E and R amendments, found in the Legislative Journal for the Ninety-first Day, were adopted.

Laid over.

LEGISLATIVE BILL 440. E and R amendments, found in the Legislative Journal for the Ninety-first Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 261. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 72. Laid over.

LEGISLATIVE BILL 419. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 280. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted by unanimous consent:

1. Amend Standing Committee amendment 1, line 3 of subdivision (2), by inserting after the word "charges" the following: "on loans, or discounts on purchased accounts and notes receivable,".

Referred to E and R for engrossment.

LEGISLATIVE BILL 332. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Mr. Jeppesen offered the following amendments, which were adopted by unanimous consent:

1. Amend the bill, page 2, section 1, line 6, by inserting after the word "county" the following: ", or a county adjoining thereto,".

2. Amend the title to the bill, as amended, by striking the words "to provide that any cooperative credit association situated within the boundaries of a city, town, village, township or school district may become a depository for the funds of any such political subdivision" and inserting in lieu thereof: "to provide that any cooperative credit association may become a depository for the funds of a city, town, village, township or school district situated within the boundaries of the county, or a county adjoining thereto, in which such political subdivision is situated".

Referred to E and R for engrossment.

LEGISLATIVE BILL 296. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Mr. Crosby offered amendments regarding security, which were not adopted.

Mr. Crosby offered the following amendments, which were adopted by unanimous consent:

1. Amend the Craven amendment to section 6 of the Standing Committee amendments, line 3 of the new section 1 of the bill, by striking the words "**three per cent per month**" and inserting in lieu thereof: "**thirty-six per cent per annum**".

2. Amend the Craven amendment to section 6 of the Standing Committee amendments, lines 4 and 5 of the new section 1 of the bill, by striking the words "**one and one half per cent per month**" and inserting in lieu thereof: "**eighteen per cent per annum**".

3. Amend the Craven amendment to section 6 of the Standing

Committee amendments, line 7 of the new section 1, by striking the words "**three-fourths of one per cent per month**" and inserting in lieu thereof: "**nine per cent per annum**".

Referred to E and R for engrossment.

LEGISLATIVE BILL 327. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Mr. Peterson asked that unanimous consent be granted to add the name of John F. Doyle as an introducer.

No objection was offered. So ordered.

Referred to E and R for engrossment.

LEGISLATIVE BILL 96. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

1. Amend section 18 of the Standing Committee amendments, line 100, by inserting after the semicolon following the word "Entry" the following words and punctuation: "cost of administering and enforcing the motor vehicle fuel tax laws of this state but in no event to exceed five-tenths of one per cent of the total gasoline tax fund collected;".

1. Amend section 9 of the Standing Committee amendments, line 3, by striking the figures "13,500.00" and inserting in lieu thereof the figures: "15,000.00".

2. Amend section 9 of the Standing Committee amendments, lines 5 to 7, inclusive, by striking the words "and not to exceed $750.00 for collection corporation taxes".

3. Amend section 9 of the Standing Committee amendments, line 9, by striking the figures "6,500.00" and inserting in lieu thereof the figures: "7,500.00".

4. Amend section 10 of the Standing Committee amendments, line 31, as amended on May 13, 1943, by amendment shown on page 1402

of the Journal, by striking the figures "38,000.00" and substituting in lieu thereof the figures: "45,000.00".

5. Amend section 14 of the Standing Committee amendments by striking all of line 27.

6. Amend section 14 of the Standing Committee amendment, line 29, by striking the semicolon after the figures "1943" and inserting the word "and" in lieu thereof.

7. Amend section 17 of the Standing Committee amendments, as amended on May 13, 1943, by amendment shown on page 1403 of the Journal, by striking the punctuation and figures "$3,450.00" appearing in the last line of the amendment to this section and inserting in lieu thereof "$6,450.00"; also by striking the figures "5,217.23" appearing in the last line of the amendment to this section and inserting in lieu thereof "8,217.23".

Mr. Peterson offered an amendment on communicable disease, which was lost with 14 ayes, 16 nays, 13 not voting.

Mr. Greenamyre offered the following amendment:

Amend Standing Committee amendments, Sec. 3, line 6, by striking the figure "$10,000.00" and inserting "$15,000.00".

Mr. Greenamyre asked that the amendment above set out be considered on Select File.

No objection was offered. So ordered.

Mr. Peterson offered the following amendment to the Greenamyre amendment:

Amend the Greenamyre amendment by striking the figure "15,000" and inserting "30,000".

Record vote was requested on the Peterson amendment.

Voting in the affirmative, 19:

Anderson, D. S.
Anderson, James H.
Brodahl
Cullingham
Doyle
Foster
Hubka
Jeppesen
Lee
Ogden
Peterson
Reavis

Conklin
Crosby
Gutoski
Heiliger
Mekota
Mischke
Tvrdik

Voting in the negative, 15:

Asimus
Carmody
Craven
Crossland
Garber
Jeffords
Klaver
Mueller
Norman
Raecke
Rakow
Sorrell
Thomas
Thompson
Weborg

Not voting, 9:

Bowman
Burnham
Dooley
Gantz
Greenamyre
Hanna
Matzke
Neubauer
Osborne

The Peterson amendment was adopted.

Record vote on the Greenamyre amendment was requested.

Voting in the affirmative, 18:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crosby
Cullingham
Foster
Gantz
Heiliger
Hubka
Jeppesen
Lee
Mekota
Mischke
Ogden
Peterson
Reavis
Tvrdik

Voting in the negative, 13:

Carmody
Craven
Crossland
Garber
Jeffords
Klaver
Mueller
Raecke
Rakow
Sorrell
Thomas
Thompson
Weborg

Not voting, 12:

Asimus
Bowman
Burnham
Dooley
Doyle
Greenamyre
Gutoski
Hanna
Matzke
Neubauer
Norman
Osborne

The Greenamyre amendment, as amended, was adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 176. Mr. Crosby offered an amendment regarding section 5, which was lost.

Mr. Crosby offered the following amendments, which were adopted by unanimous consent:

1. Amend page 4 of the bill, section 4 of the printed bill, now section 3, line 40, by striking the words "**three per cent a month**" and inserting in lieu thereof: "**thirty-six per cent per annum**".

2. Amend page 4 of the bill, section 4 of the printed bill, now section 3, line 42, by striking the words "**two and one half per cent a month**" and inserting in lieu thereof: "**thirty per cent per annum**".

3. Amend page 4 of the bill, section 4 of the printed bill, now section 3, line 45, by striking the words "**three-fourths of one per cent a month**" and inserting in lieu thereof: "**nine per cent per annum**".

Referred to E and R for engrossment.

MOTION—Evening Session

Mr. President: I move that when we recess this evening the Legislature return at 7:30 for Third Reading and for such other work that is desired.

(Signed) Klaver

The motion prevailed.

Member Excused

Mr. Doyle was excused from the night session.

GENERAL FILE

Speaker Crosby Presiding

LEGISLATIVE BILL 287. Read and considered.

Standing Committee amendments, found in the Legislative Journal for the Forty-sixth Day, were adopted.

Mr. Peterson offered the following amendment, which was adopted by unanimous consent:

Amend committee amendment to the title by adding the words "and to repeal the said original sections".

Mr. Sorrell offered an amendment to Section 1.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Forty members were present.

Mr. Rakow moved to raise the call.

The motion prevailed with 22 ayes, 4 nays, 17 not voting.

Mr. Sorrell changed his vote from aye to nay and moved a call of the House.

The motion was lost with 13 ayes, 19 nays, 11 not voting.

Mr. Sorrell changed his vote from nay to aye.

The Sorrell amendment was lost with 19 ayes, 20 nays, 13 not voting.

Message from the Governor

Legislative Bill 225

May 18, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

At the request of your honorable body, I am returning herewith Legislative Bill 225.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor of Nebraska.

Committee on Committees

Mr. President: Your Committee on Committees has set Monday, May 24, 1943, 1:30 p. m., to consider the appointment of Ernest Bihler as a member of the Game Forestation & Parks Commission.

(Signed) Tvrdik, Chairman

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Monday, May 17, 1943, at 9:00 a.m.

L. B. 112	L. B. 157	L. B. 194	L. B. 300
L. B. 167	L. B. 182	L. B. 242	L. B. 386

LEGISLATIVE BILL 43. Placed on Select File with amendments.

E and R amendments to L. B. 43:

1. In General File amendment by Mr. Lee, Section 1, strike "$2000.00" and in lieu thereof insert "two thousand dollars".

2. In General File amendment by Mr. Greenamyre, 3rd line, strike "18%" and in lieu thereof insert "eighteen per cent".

3. In General File amendment by Mr. Peterson, 8th line, before "manner" insert "a".

4. Standing Committee amendments: Amendment No. 1, page 1, inserted matter, 1st line, insert a comma after "loans" and also after "installments"; strike the comma in the 2nd line after "banks", 7th line after "records".

5. Amendment 2, 3rd and 4th lines, strike "shall have the following meanings" and in lieu thereof insert a comma; 5th line, strike the colon and in lieu thereof insert ", shall mean:"; 6th line, strike "means" and in lieu thereof insert a comma, also 8th, 12th, 14th and 17th lines; strike the comma in the 9th line after "banks" and before "and".

6. Section 2, page 2, 10th line, after "176," insert: "fifty-sixth session of the Nebraska State Legislature,".

7. Section 3, page 2, 1st line, strike "for"; 4th line, strike "higher"; 6th line, strike "or" before "by taking" and strike the comma after

"repayments"; 8th line, strike "or" before "other" and strike the comma after "subterfuge"; 9th line, strike "In" and in lieu thereof insert "If, in"; 11th line, strike "if".

8. Section 4, page 3, 5th line, strike the comma after "received", 10th line after "recording"; 16th line, strike "of such a"; 23rd line, insert a comma after "bank"; page 4, 3rd line, strike the comma after "deducted"; 6th line, insert a comma after "made" and in the 9th line after "reduced".

9. Section 5, page 5, subdivision (d), 2nd line, strike "or any" and in lieu thereof insert a comma; 3rd and 4th lines, strike ", or any" and in lieu thereof insert "or".

10. Section 6, page 5, 2nd line, strike the comma after "misleading"; also 3rd line after "terms".

11. Section 7, page 6, 1st line, strike "(a)"; 2nd line, strike "segregate" and in lieu thereof insert: ": (a) Segregate", strike the period after "loans" and in the 3rd line strike "All such papers and records" and in lieu thereof insert "which"; 5th line, strike "to" before "disclose"; strike all of the 6th line except "(b)" and "shall file" in the 7th line, and in lieu thereof, insert "File"; insert a comma in 7th line after "department" and also after "year".

12. Section 8, subdivision (c), page 6, 3rd line, strike "for"; subdivision (d), insert a comma in the 2nd line after "records"; 3rd line, strike "of" before "securing".

13. Section 9, page 6, line 1, after "any" insert "of the"; 2nd line, insert a comma after "act"; page 7, 6th line, strike "such" after "first" and strike the comma after "termination".

14. Section 10, page 7, insert a comma in the 4th line after "collected", 6th line after "and", 7th line after "thereof"; 5th and 6th lines, strike ", and the" and in lieu thereof insert ". The".

Correctly engrossed

L. B. 236
L. B. 71
L. B. 205
L. B. 436
L. B. 431
L. B. 204

(Signed) James H. Anderson, Chairman

Recess

At 5:07 p. m., Mr. Sorrell moved to recess until 7:30 p. m.

The motion prevailed with 18 ayes, 11 nays, 4 not voting.

After Recess

The Legislature reconvened at 7:30 p.m., Speaker Crosby presiding.

The roll was called and all members were present except Mr. James H. Anderson, and except Mr. Matzke who was excused.

GENERAL FILE

LEGISLATIVE BILL 287. Mr. Mueller moved to reconsider action on the Sorrell amendment, offered before recess.

The motion prevailed with 26 ayes, no nays, 17 not voting.

Mr. Mueller reoffered the Sorrell amendment as follows:

Amend Sec. 1, line 19, by striking the word "twice" and inserting in lieu thereof the word "once".

The amendment was adopted.

Referred to E and R for review.

President Johnson Presiding

MOTION—To Limit Debate

Mr. President: I move that on the bills now on Special and General File having not been read, considered or set for special order, that on said bills no more than three proponents may speak on any such bill and that their combined time not exceed fifteen minutes, including the close. That the combined time of the opposition shall not exceed fifteen minutes.

(Signed) Mischke

The motion prevailed with 25 ayes, 4 nays, 13 not voting.

Referred to the Committee on Rules.

GENERAL FILE (Continued)

LEGISLATIVE BILL 255. Laid over one day. Retains place on File.

LEGISLATIVE BILL 229. Mr. Tvrdik moved to consider L. B. 229.

The motion prevailed.

Mr. Doyle withdrew his motion to postpone indefinitely.

Mr. Lee offered the following amendments, which were adopted:

1. Strike the Standing Committee amendments, and amend page 3 of the bill by inserting a new section, to be numbered 6, reading as follows:

"Sec. 6. The sale of garments, clothing, wearing apparel or household goods for failure to pay any of the charges provided for in sections 1 and 2 of this act shall be held at the place where the work was done or the goods above described were stored, or if such place is manifestly unsuitable for the purpose, at the nearest suitable place, after the time for the payment of the claim specified in the notice to the debtor has lapsed and an advertisement or notice of sale has been published or posted as hereinafter provided. Notice of such sale shall be given by publication two successive weeks in a legal newspaper of general circulation in the community in which such sale is to be held, or by posting such notice in not less than three conspicuous places in such community. Such notice of sale shall state the name of the owner or person on whose account the goods are held, the nature of the personal property to be sold, and the time and place of sale. The sale shall be held not less than fifteen days after the first publication or posting of such notice."

Referred to E and R for review.

LEGISLATIVE BILL 384. Mr. Gantz offered the following amendment, which was adopted:

Amend Section 2, Standing Committee amendment, by striking the word "two" in line 3 of said section and inserting in lieu thereof the word "forty".

Referred to E and R for review.

MOTION—To Suspend Rules

Mr. President: I move that we suspend the rules and now consider bills on third reading.

(Signed) Mischke

The motion prevailed with 31 ayes, 1 nay, 11 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 355. With emergency clause.

A bill for an act to amend sections 44-502 and 44-507, Compiled Statutes of Nebraska, 1929, and sections 44-602 and 44-603, C. S. Supp., 1941, relating to life insurance; to prescribe nonforfeiture benefits and cash surrender values for policies of life insurance; to prescribe the basis of calculating loan values in policies of life insurance; to eliminate the prohibition against issuance of a policy of life insurance if any of the surrender values of the policy are based upon the premiums paid rather than the reserve; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, James H.
Conklin
Hubka
Matzke
Osborne
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 38. With emergency clause.

A bill for an act relating to revenue and taxation; providing for the enforcement of delinquent real estate taxes and special assessments by one form of foreclosure proceedings; to prescribe certain duties of county officers in the collection of taxes; to provide penalties; to provide a savings clause; and to repeal sections 77-2039, 77-2040, and 77-2041, C. S. Supp., 1941, sections 77-2042, 77-2043, 77-2044, 77-2045, 77-2046, 77-2047 and 77-2048, Compiled Statutes of Nebraska, 1929, all of Article 21, Chapter 77, Compiled Statutes of Nebraska, 1929, and all amendments thereof in force at the date of the passage of this act, and all other acts or parts of acts in conflict with this act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 3:

Anderson, James H.
Matzke
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 264. With emergency clause.

A bill for an act to amend section 72-211, C. S. Supp., 1941, relating to educational lands and funds; to provide that educational lands may be acquired through the exercise of eminent domain proceedings, for certain special purposes; to provide the method of condemnation; to provide for payment of damages; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 3:

Anderson, James H.
Matzke
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 314.

A bill for an act to amend section 39-826, Compiled Statutes of Nebraska, 1929, relating to county bridges; to provide that when two or more counties have entered into a joint contract for maintenance and repair of a bridge upon the county line by one of the counties, it shall be the duty of the county agreeing to maintain and keep such bridge in repair to promptly erect adequate barricades to prevent accidents, whenever the condition of such bridge or the approaches thereto are dangerous to public travel, and to diligently proceed with the repair thereof; to provide for the enforcement of such duty by mandamus by any other county or counties which are parties to such contract; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 5:

Anderson, James H.
Conklin
Hubka
Matzke
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 334. With emergency clause.

A bill for an act to protect the public health; to restrict the sale and distribution of materials containing the live micro-organisms of diseases communicable to humans; to prescribe the manner by which the aforesaid materials can be made available for the prevention of human and animal diseases; to prescribe penalties for the violation of any or all sections of this act; to repeal any act or parts thereof in conflict with this act; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Asimus
Doyle
Foster
Jeppesen
Klaver
Osborne
Peterson

Brodahl
Burnham
Carmody
Crosby
Crossland
Cullingham
Dooley
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 9:

Anderson, James H.
Bowman
Conklin
Craven
Garber
Hubka
Matzke
Norman
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 247.

A bill for an act to amend section 29-2217, C. S. Supp., 1941, relating to criminals; to provide penalties for persons convicted of a felony who have previously been once convicted of a crime, sentenced and committed to prison in this or any other state, or by the United States, for a term of not less than one year; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Weborg

Voting in the negative, 1: Doyle

Not voting, 12:

Anderson, James H.
Carmody
Conklin
Garber
Hubka
Matzke
Mekota
Norman
Osborne
Rakow
Thompson
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

REQUEST—To Add Name

Upon request of Mr. Klaver, unanimous consent was granted to add the name of William J. Norman as a co-introducer of Legislative Bill 384.

Adjournment

At 9:45 p.m. on motion by Mr. Mueller, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

NINETY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 19, 1943

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Tvrdik, who was excused.

The Journal for the Ninety-fourth Day was approved.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 36

BILLS ON THIRD READING

LEGISLATIVE BILL 231. Passed over.

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 285.

A bill for an act to amend section 20-1520, C. S. Supp., 1941, relating to manner of levy on corporate stock; to provide that upon the levy of a distress warrant, issued for nonpayment of taxes, upon such stock in a corporation, the officer need not seize the certificate or cause it to be surrendered to the corporation; and to repeal the original section and also section 24-1913, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Weborg

Voting in the negative, 0.

Not voting, 9:

Carmody
Crosby
Garber
Matzke
Norman
Osborne
Rakow
Thompson
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 318.

A bill for an act to amend section 83-731, Compiled Statutes of Nebraska, 1929, relating to discharge of patients from the state hospital for the insane; to provide that when a patient is discharged from such a hospital, whether with or without application therefor, notice of the order of discharge shall at once be sent by the superintendent of the hospital to the clerk of the district court of the county from which the patient was committed and the clerk of the district court shall thereupon enter the same upon his records; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative 36

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 7:

Crosby
Dooley
Garber
Matzke
Peterson
Raecke
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 391.

A bill for an act relating to county attorneys; providing for the appointment of a county attorney from any other county of the State of Nebraska, when there is no qualified attorney within the county who will accept such appointment.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 6:

Crosby
Dooley
Garber
Matzke
Peterson
Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 129. With emergency clause.

A bill for an act to amend section 66-411, C. S. Supp., 1941, as amended by legislative bill 60, fifty-sixth session of the Nebraska State Legislature, 1943, relating to the distribution, allocation and use of the gasoline tax fund; to provide a different method of distribution of the share thereof allocated to the various counties for distribution; to repeal the original section as so amended by said legislative bill; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 2:

Osborne
Raecke

Not voting, 6:

Garber
Heiliger
Matzke
Ogden
Peterson
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 402. With emergency clause.

A bill for an act to amend section 32-1810, Compiled Statutes of Nebraska, 1929, relating to elections in counties having a population of one hundred fifty thousand or more; to authorize the election commissioner to issue certificates of registration; to provide a fee therefor, when issued for other than election purposes; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 3:

Garber
Matzke
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 432. With emergency clause.

A bill for an act to amend section 50-501, C. S. Supp., 1941, relating to the Legislature; to provide that the Legislative Council shall consist of sixteen members, four of whom shall be selected from each congressional district; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Weborg

Voting in the negative, 3:

Carmody
Craven
Sorrell

Not voting, 5:

Garber
Jeppesen
Matzke
Mekota
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 439. With emergency clause.

A bill for an act to provide for the payment of compensation of officers and employees of the Legislature, the traveling expenses of members and the payments to be made for supplies and other incidental expenses incurred during the fifty-sixth session of the Nebraska State Legislature, during the biennium ending June 30, 1943, and for the ad interim activities of said Legislature during the biennium ending June 30, 1945; to appropriate the sum of fifteen thousand dollars therefor in addition to the amount appropriated by legislative bill 51, fifty-sixth session of the Nebraska State Legislature; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 3:

Garber
Matzke
Tvrdik

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 364.

A bill for an act to amend sections 21-1404 and 22-1204, Compiled Statutes of Nebraska, 1929, relating to forcible entry and detention; to provide method of serving notice on the party detaining property to leave the premises, where such party or his usual place of abode cannot be found in the county where the premises are located; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Weborg

Voting in the negative, 0.

Not voting, 4:

Garber	Matzke	Rakow	Tvrdik

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

REQUEST—For Unanimous Consent

Mr. Lee asked that unanimous consent be granted to consider L. B. 337 on Third Reading File. No objection was offered. So ordered.

REQUEST—To Reconsider Legislative Bill 337

Mr. Lee moved that the Legislature reconsider its action on Legislative Bill 337.

The motion prevailed with 38 ayes, no nays, 5 not voting.

MOTION—To Refer to Select File

Mr. Lee moved that L. B. 337 be referred to Select File for the following specific amendment:

Add the emergency clause to the title.

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 337. Mr. Lee's specific amendment, above set out, was adopted by unanimous consent.

Referred to E and R for engrossment.

LEGISLATIVE BILL 72. E and R amendments, found in the Legislative Journal for the Ninety-third Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 43. E and R amendments, found in the Legislative Journal for the Ninety-fourth Day, were adopted.

Laid over.

Visitor

Mr. Foster introduced Mr. Richard F. Wood, a former member, who addressed the Legislature briefly.

REQUEST—To Return L. B. 420

Mr. James H. Anderson asked that unanimous consent be granted to replace Legislative Bill 420 on General File.

No objection was offered. So ordered.

GENERAL FILE

LEGISLATIVE BILL 420. Mr. James H. Anderson moved that the bill be amended as provided in the mimeographed substitute presented.

The motion prevailed.

Mr. James H. Anderson offered the following amendment, which was adopted:

Amend the mimeographed copy by adding at the end of Section 10 a new line as follows:

"31 deputy county assessor the sum of eighteen hundred dollars".

Mr. Osborne offered the following amendment, which was adopted:

Amend page 5, Section 4, line 6, by inserting after the word "thousand," the words "one hundred".

Mr. Greenamyre offered the following amendment, which was adopted with 14 ayes, 13 nays, 16 not voting:

Amend the substitute bill, page 7, Sec. 7, lines 5 and 6, by striking the words "twenty-three hundred" and inserting "twenty-six hundred fifty".

Mr. Klaver offered the following amendment, which was adopted by unanimous consent:

Amend Sec. 10, page 10, line 22, of the amended bill by striking the figures "2200" and inserting "2300".

Messrs. Craven, Heiliger and Peterson offered the following amendment, which was adopted by unanimous consent:

Amend page 10, line 14, by striking the word "twenty-two" and inserting the word "twenty-five" in lieu thereof.

Mr. Greenamyre offered the following amendment, which was adopted with 12 ayes, 5 nays, 26 not voting.

Amend the substitute bill, page 8, Sec. 7, lines 19 and 20, by striking the word "fourteen" and inserting "sixteen".

Mr. Gutoski offered the following amendment which was adopted:

Amend by striking lines 39 and 40 from Sec. 10, page 12.

Mr. Gantz offered an amendment to the Osborne amendment, which was lost with 7 ayes, 11 nays, 25 not voting.

Mr. Conklin offered the following amendment, which was adopted with 15 ayes, 8 nays, 20 not voting:

Amend lines 5 and 6 to read "twenty-five hundred dollars".

Mr. Thompson offered an amendment which was lost with 6 ayes, 17 nays, 20 not voting.

Mr. Reavis offered an amendment which was lost with 15 ayes, 19 nays, 9 not voting.

Referred to E and R for review.

MOTION—Legislative Bill 117

Mr. Reavis moved to place L. B. 117 at the head of General File for consideration.

The motion was lost with 14 ayes, 18 nays, 11 not voting.

MOTION—To Postpone Indefinitely

Mr. Jeffords moved to postpone indefinitely all bills on General File and Special File.

MOTION—To Amend

Mr. Craven moved to amend the Jeffords motion by striking the period after the last word and inserting comma in lieu thereof and adding the words and punctuation: "except L. B. 127".

Record vote was requested.

Voting in the affirmative, 12:

Burnham
Craven
Crossland
Cullingham
Gantz
Heiliger
Jeppesen
Klaver
Osborne
Peterson
Raecke
Thomas

Voting in the negative, 20:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Carmody
Conklin
Crosby
Doyle
Garber
Gutoski
Hanna
Jeffords
Lee
Mekota
Mischke
Rakow
Reavis
Sorrell
Thompson
Weborg

Not voting, 11:

Bowman
Dooley
Foster
Greenamyre
Hubka
Matzke
Mueller
Neubauer
Norman
Ogden
Tvrdik

The motion was lost.

Record vote on the Jeffords motion was requested.

Voting in the affirmative, 16:

Anderson, D. S.
Anderson, James H.
Asimus
Carmody
Crossland
Doyle
Gantz
Garber
Jeffords
Jeppesen
Lee
Matzke
Mueller
Neubauer
Thomas
Weborg

Voting in the negative, 22:

Bowman
Brodahl
Burnham
Conklin
Craven
Dooley
Foster
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Klaver
Mekota
Mischke
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thompson

Not voting, 5:

Crosby
Cullingham
Norman
Ogden
Tvrdik

The motion was lost.

GENERAL FILE (Continued)

LEGISLATIVE BILL 248. Mr. Greenamyre's amendment, found in the Legislative Journal for the Eighty-seventh Day, was adopted.

Mr. Matzke offered the following amendment, which was adopted:

Amend the Greenamyre amendment as follows:

Strike "Seward" in District No. 6 and insert "Seward" in District No. 5, between the words "Hamilton" and "York".

Mr. Hubka moved to reconsider the Mischke amendment to L. B. 248 as found on page 1329 of the Legislative Journal.

Record vote was requested.

Voting in the affirmative, 15:

Anderson, James H.
Brodahl
Cullingham
Greenamyre
Gutoski
Hanna
Hubka
Klaver
Lee
Matzke
Mekota
Mischke
Rakow
Reavis
Thompson

Voting in the negative, 23:

Anderson, D. S.
Asimus
Bowman
Burnham
Craven
Crosby
Crossland
Doyle
Heiliger
Jeffords
Jeppesen
Mueller
Peterson
Raecke
Sorrell
Thomas

Carmody	Gantz	Neubauer	Weborg
Conklin	Garber	Osborne	

Not voting, 5:

Dooley	Norman	Ogden	Tvrdik
Foster			

Referred to E and R for review.

Explanation of Vote

Mr. President: I vote aye on the Hubka motion for appointment of Consumers' directorship because:

1. Lack of interest by people in elections and their failure to vote at public elections.

2. Failure of people in district served to file for directorship of district.

3. Impracticability to provide election by people served by the district.

(Signed) Greenamyre

MOTION—To Postpone Indefinitely

Mr. Mischke moved that Legislative Bills 405 and 408 be postponed indefinitely.

Mr. Mueller withdrew his amendment offered on L. B. 405.

The Mischke motion prevailed.

REQUEST—Unanimous Consent

Mr. Heiliger asked that unanimous consent be granted to have his amendment to L. B. 420, offered May 11 and adopted on May 12, 1943, included in the bill as adopted.

No objection was offered. So ordered.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 79
L. B. 335
L. B. 400

Correctly Enrolled

L. B. 334
L. B. 314
L. B. 264
L. B. 247
L. B. 38

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 334
L. B. 314
L. B. 264
L. B. 247
L. B. 38

Legislative Resolution 34

Recess

At 12:00 m. on motion by Mr. Weborg, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present.

MOTION—Not To Concur

Mr. President: I move that we do not concur in the report of the Committee on Labor and Public Welfare indefinitely postponing L. B. 230, and that it be placed on General File.

(Signed) Raecke

The motion prevailed with 31 ayes, no nays, 12 not voting.

GENERAL FILE

LEGISLATIVE BILL 255. Mr. Greenamyre offered the following amendment, which was adopted:

Amend pages 4 and 5 of the bill, section 12, lines 3 to 8, inclusive, by striking all of the words and punctuation in lines 3 to 8, inclusive, after the comma following the word "Act" in line 3 to and including the comma following the word "eligible" in line 8, and substitute in lieu thereof "or voluntary Associations of Credit Unions."

Mr. Matzke offered an amendment to Sec. 22, which was lost with 5 ayes, 24 nays, 14 not voting.

Mr. Greenamyre offered an amendment to Sec. 25, which was lost with 4 ayes, 15 nays, 24 not voting.

Mr. Heiliger offered an amendment to Sec. 27, which was lost with 3 ayes, 18 nays, 22 not voting.

Mr. Matzke offered the following amendment, which was adopted:

Amend Sec. 44, page 13, line 2, by striking "twenty" and inserting the word "ten", and in line 3, strike "net" and insert "gross".

Mr. Osborne offered an amendment to Sec. 30 which was lost.

Mr. Matzke offered an amendment to Sec. 30 which was lost.

Mr. Hubka offered an amendment to Sec. 49 which was lost with 16 ayes, 16 nays, 11 not voting.

Referred to E and R for review.

LEGISLATIVE BILL 123. Read and considered.

Referred to E and R for review.

LEGISLATIVE BILL 127. Read and considered.

Standing Committee amendment, found in the Legislative Journal for the Forty-second Day, was adopted.

Mr. Craven moved to refer to E and R for review.

Mr. Garber moved to postpone indefinitely.

Speaker Crosby presiding

Mr. Rakow moved the previous question.

The Speaker put the question, "Shall the debate now close?"

The motion prevailed with 23 ayes, 3 nays, 17 not voting.

Record vote was requested on the Garber motion.

Voting in the affirmative, 22:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Carmody
Crosby
Crossland
Cullingham
Dooley
Garber
Hanna
Jeffords
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Raecke
Rakow
Thompson
Weborg

Voting in the negative, 16:

Bowman
Craven
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Neubauer
Osborne
Peterson
Sorrell
Thomas
Tvrdik

Not voting, 5:

Burnham
Conklin
Doyle
Ogden
Reavis

The motion prevailed.

REQUEST—For Unanimous Consent

Mr. Foster asked unanimous consent to revert to First Reading for the introduction of a bill.

Mr. James H. Anderson objected.

MOTION—To Suspend Rules

Mr. Foster moved to suspend the rules and revert to First Reading for the introduction of a bill.

The motion was lost with 15 ayes, 12 nays, 16 not voting.

MOTION—To Postpone Indefinitely

Mr. James H. Anderson moved that all bills on General File be indefinitely postponed with the exception of L. B. 230.

The motion was lost with 18 ayes, 18 nays, 7 not voting.

LEGISLATIVE BILL 136. Mr. Mischke asked that unanimous consent be granted to read only the new matter.

No objection was offered. So ordered.

Mr. Mischke offered the following amendments, which were adopted by unanimous consent:

1. Add a new section 3 as follows:

"Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law".

2. Amend the title by striking the word "and" in line 9 and by inserting after the word "section" the words "and to declare an emergency".

Mr. Asimus moved to postpone indefinitely.

The motion prevailed with 16 ayes, 11 nays, 16 not voting.

LEGISLATIVE BILL 138. Mr. Gutoski asked that unanimous consent be granted to waive reading the bill and amendments.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Forty-fourth Day, were adopted.

Referred to E and R for review.

MOTION—To Adjourn

Mr. Weborg moved to adjourn.

The motion was lost.

Visitor

Mr. Gantz introduced Mr. Nate Parsons, a former President of the Legislature, who addressed the Legislature briefly.

GENERAL FILE (Continued)

LEGISLATIVE BILL 234. Mr. Peterson asked that unanimous consent be granted to waive reading the bill and permit the author to explain it.

No objection was offered. So ordered.

Mr. Hubka offered the following amendments, which were adopted:

Amend the printed bill, Line 10, Section 5, by striking out the word "or" following the world "court", and before the word "the" and insert the word "and".

Amend the printed bill, Line 35, Section 5, by striking out the word "or" following the word "compensation" and before the word "district" by inserting the word "and".

Mr. Hubka offered an amendment to Sec. 5, which was lost.

President Johnson presiding

Mr. Hubka offered the following amendment, which was adopted:

Amend the printed bill, Line 55, Sec. 12, after the word "cause" and before the word "and" by inserting the following: "or assign one of the judges of said court to hear said cause."

Mr. Sorrell moved to postpone indefinitely.

The motion was lost with 17 ayes, 19 nays, 7 not voting.

Mr. Hubka offered the following amendments, which were adopted:

Amend the printed bill by striking out the period after the word "heard" at the end of Line 39, Page 15, Section 8, and insert a comma.

Amend Sec. 12, Page 19, line 179, by adding after the period following the words "de novo", as follows: "Provided, that if the District Court shall find that either side did not make a bona fide presentation of its case before the Judge of the Compensation Court, then the District Court shall assess attorney's fees against the offending party.

Mr. Craven offered the following amendments, which were adopted with 18 ayes, 17 nays, 8 not voting:

1. Amend page 21 of the bill, by inserting after section 12, a new section to be numbered 13, and reading as follows :

Sec. 13. That section 48-170, C. S. Supp., 1941, be amended to read as follows:

48-170. Each judge of the Nebraska Workmen's Compensation Court shall receive an annual salary not to exceed three thousand **six hundred** dollars, payable in the same manner that the salaries of other state officers are paid. The clerk shall receive an annual salary not to exceed eighteen hundred dollars and all other assistants and employees of the said court shall receive such salaries as the court may determine, not however, to exceed the amount of the appropriation made by the legislature **Legislature** for such purpose. Such salaries shall be payable in the same manner that salaries of other state employees are paid, and such assistants and employees shall not receive from any other source any other salary or other pay for their services. In addition to the salaries as herein provided the judges of the said court, the clerk and other assistants and employees of the said court shall be entitled while traveling on the business of the said court, to be reimbursed by the state for necessary traveling expenses consisting of transportation, subsistence, lodging and such other items of expense as are necessary, to be paid in the same manner as other claims against the state."

2. Amend page 21 of the bill, present section 13, line 1, by changing the section number to 14.

3. Amend page 21 of the bill, present section 13, line 4, by inserting after the punctuation following the figures "48-166" the following: "48-170".

4. Amend the title to the bill, line 5, by inserting after the punctuation following the figures "48-166" the following: "48-170".

5. Amend the title to the bill, line 18, by inserting after the punctuation following the words "cases" the following: "to fix the maximum salaries of the judges of the Nebraska Workmen's Compensation Court;".

Mr. Hubka moved to refer to E and R for review.

Mr. Mueller moved to lay the bill on the table.

The motion prevailed with 17 ayes, 15 nays, 11 not voting.

MOTION—To Postpone Indefinitely

Mr. Gantz moved that all bills now on General and Special File and in Committee, except L. B. 230 and L. B. 437, be indefinitely postponed.

The motion prevailed with 18 ayes, 11 nays, 14 not voting.

Mr. Sorrell appealed from the decision of the Chair.

The President put the question, "Shall the Chair be sustained?"

The motion prevailed with 24 ayes, 6 nays, 13 not voting.

Adjournment

At 5:45 p.m. on motion by Mr. Mueller the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

NINETY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 20, 1943

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Sorrell.

The Journal for the Ninety-fifth Day was approved.

Petitions and Memorials

The following members introduced petitions:

All members, four, opposing the appointment of directors of public power districts; all members, two, favoring L. B. 127.

Communications

A letter was read from Neil C. Vandemoer, Director of Assistance, regarding aid to dependent children.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Wednesday, May 19, 1943, at 4 p. m.

L. B. 22
L. B. 297
L. B. 321
L. B. 365
L. B. 369
L. B. 385
L. B. 387
L. B. 396

Correctly Engrossed

L. B. 286
L. B. 261

Correctly Enrolled

L. B. 439
L. B. 432
L. B. 402
L. B. 364
L. B. 391
L. B. 318
L. B. 285
L. B. 129
L. B. 355

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 439
L. B. 432
L. B. 402
L. B. 364
L. B. 391
L. B. 318
L. B. 285
L. B. 129
L. B. 355

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 231. With emergency clause.

A bill for an act to amend section 31-606, Compiled Statutes of Nebraska, 1929, relating to the powers and duties of the board of trustees of sanitary drainage districts; to provide for the publication of its proceedings, except under the circumstances herein prescribed; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis

Carmody
Conklin
Craven
Crosby
Crossland
Greenamyre
Gutoski
Hanna
Hubka
Mischke
Mueller
Neubauer
Norman
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Heiliger
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 184. With emergency clause.

A bill for an act relating to county government and officers; to amend section 26-105, C. S. Supp., 1941, and section 26-706, Compiled Statutes of Nebraska, 1929; to require all counties in the State of Nebraska having a population of two hundred thousand or more, to employ or designate and compensate county purchasing agents; to prescribe the powers and duties of said agents when so employed or designated; to provide the manner in which purchases for said county and its officers shall be made; to provide for perpetual inventory of county property by county clerks; to repeal said original sections; to provide penalties for violation thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Craven
Dooley
Garber
Rakow
Sorrell
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 422.

A bill for an act to amend section 60-429, C. S. Supp., 1941, relating to motor vehicles; to provide that an inmate of the penitentiary, state reformatory at Lincoln or state farm at Genoa may, upon the written application of the warden or other chief officer in charge of such institution, have his operator's license reinstated, during the time he is incarcerated in such institution, in order to drive motor vehicles under the direction of and at such times and under such conditions as may be prescribed by such chief officer; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Conklin
Dooley
Osborne
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 394. With emergency clause.

A bill for an act relating to revenue; to authorize the governing body of any political subdivision, legally created district, not expressly excepted from the provisions hereof, or school district to fund its general indebtedness; to authorize the issuance of funding bonds not to exceed an amount lawfully owing and unpaid upon its registered warrants and judgments plus accrued interest; to provide for the maximum rate of interest the bonds shall bear; to provide the manner in which such bonds shall be issued; to provide for the levy of an annual tax for the payment of interest and principal on such bonds; to authorize and empower any school district, city of the first class, having a population of more than five thousand and less than twenty-five thousand inhabitants, city of the second class, village or such legally created district in the State of Nebraska to borrow money with which to pay judgments against their respective municipalities, school districts or districts and accrued interest thereon and to redeem outstanding warrants of such school district, district, city or village, as the case may be; to issue the municipality's, school district's or district's promissory note or notes therefor; to provide for the repayment of money so borrowed; to prescribe terms, provisions, conditions and limitations upon the exercise of the power so to borrow; to provide that the provisions of sections 7 to 11, inclusive, of this act shall be construed as supplemental to and cumulative with existing powers of said municipalities, school districts or districts on the same subject; to provide that sections 1 to 6, inclusive, of this act shall not be construed as a limitation on the powers conferred upon municipalities, school districts or such districts in sections 7 to 11, inclusive, therein; to state a validity clause; to repeal sections 11-1201 to 11-1212, inclusive, C. S. Supp., 1941; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas

Craven
Crosby
Crossland
Cullingham
Hanna
Heiliger
Hubka
Mueller
Neubauer
Norman
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Anderson, James H.
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 352. With emergency clause.

A bill for an act relating to fiduciaries; to define terms; to provide procedure for suspension of fiduciaries engaged in war service; to provide for responsibility of fiduciary; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H .
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Dooley
Garber
Mekota
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 309. With emergency clause.

A bill for an act relating to revenue and taxation; to authorize the bringing of an action for the curing of defects in tax foreclosure proceedings heretofore had in the county where the real estate involved therein is situated and certain procedure therefor and orders and decrees therein; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mischke
Mueller
Neubauer
Norman
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Garber
Lee
Matzke
Mekota
Ogden
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 282.

A bill for an act to amend section 20-2229, Compiled Statutes of Nebraska, 1929, relating to publication of legal notices in legal newspapers; to provide that when a newspaper is published regularly four or more times each week, it shall be deemed a daily newspaper within the meaning of that term as used in this act; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Brodahl
Cullingham
Garber
Lee
Matzke
Mekota
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 353.

A bill for an act to amend section 14-1016, Compiled Statutes of Nebraska, 1929, relating to services to be furnished by metropolitan water districts to the municipalities constituting such district; to provide that said water districts shall furnish, free of charge, water required for public use by the public school of each of such municipalities.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mekota
Mueller
Neubauer
Norman
Ogden
Peterson
Tvrdik
Weborg

Voting in the negative, 4:

Hanna
Mischke
Rakow
Thomas

Not voting, 11:

Brodahl
Carmody
Garber
Gutoski
Lee
Matzke
Osborne
Raecke
Reavis
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 331.

A bill for an act to amend section 43-226, Compiled Statutes of Nebraska, 1929, relating to the powers of the Board of Control; providing that the Board of Control shall not have power to transfer a minor from a state institution to the reformatory for boys or other penal or correctional institution, except as herein provided; to specifically provide that nothing in this act shall affect the right of parole, herein referred to; to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Brodahl
Cullingham
Garber
Rakow
Reavis
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 329.

A bill for an act relating to the adoption of children; to provide the procedure therefor and the effect thereof; to prescribe and define the legal status and privileges of the person or persons adopting children, the children adopted and certain other designated persons; and to repeal sections 43-101 to 43-112, inclusive, Compiled Statutes of Nebraska, 1929.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Brodahl
Cullingham
Garber
Rakow
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for the Journal

Mr. President: Had I been present, I would have voted "aye" on L. B. 329.

(Signed) Cullingham

LEGISLATIVE BILL 155.

A bill for an act to amend section 39-601, Compiled Statutes of Nebraska, 1929, relating to road districts and road overseers; to provide that the county board under commissioner system may abolish road districts and road overseers and, when abolished, to make each member of the county board responsible for the care and maintenance of the roads in the respective district of such member; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Brodahl
Cullingham
Garber
Peterson
Sorrell

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 238. With emergency clause.

A bill for an act to amend section 33-112, C. S. Supp., 1941, relating to the salaries of deputies and assistants in the office of the Register of Deeds in counties having more than sixty and not more than one hundred fifty thousand inhabitants; to provide the amount to be paid as salaries to such deputies, and that the salaries of such assistants shall be fixed by the county board; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Brodahl
Carmody
Garber
Greenamyre
Neubauer
Sorrell

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—For Unanimous Consent

Mr. Jeffords asked that unanimous consent be granted to place L. B. 225 on Third Reading File.

No objection was offered. So ordered.

Mr. Jeffords moved that the Legislature reconsider its action on final passage.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Mr. Jeffords moved to refer L. B. 225 to Select File for the following specific amendment:

1. Amend page 2 of the bill, section 1, line 17, by striking the word "Against" and substituting in lieu thereof the word: "For".

2. Amend the title to the bill, line 5, by striking the figures "77" and inserting in lieu thereof the figures: "79".

The motion prevailed.

SELECT FILE

LEGISLATIVE BILL 225. Mr. Jeffords' specific amendment, above set out, was adopted.

Referred to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 37. Memorial, Nicholas Copernicus.

Introduced by Peter P. Gutoski, Charles F. Tvrdik, Stanley A. Matzke, Fred A. Mueller, John F. Doyle and Dudley E. Thompson.

WHEREAS, May 24, 1943, marks the four hundredth anniversary of the death of Nicholas Copernicus, famous Polish astronomer;

WHEREAS, he is the founder of the heliocentric system of the planetary universe;

WHEREAS, by his proof that the sun is the center of the planetary system, instead of the earth, as was believed until his discovery, he changed the thinking of mankind, made further progress in learning possible and is reputed to be the "Father of Modern Astronomy";

WHEREAS, the world is indebted to him for this remarkable discovery, made in the days before the use of telescopes;

WHEREAS, it is fitting that the quadricentennial anniversary of his death should be noted at this time, when the world is in a death struggle to preserve the freedom of the arts and sciences for a free posterity;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

That the Governor of the State of Nebraska be, and he hereby is, authorized and requested to issue a proclamation, designating May 24, 1943, as NICHOLAS COPERNICUS DAY, and invite the people of the State of Nebraska to observe this day in a fitting and appropriate manner, in schools, colleges and universities, and in other suitable places, in commemoration of this epochal discovery.

Mr. Gutoski asked that unanimous consent be granted to consider the resolution at once.

No objection was offered. So ordered.

Mr. Gutoski moved that the resolution be adopted.

The motion prevailed with 25 ayes, no nays, 18 not voting.

LEGISLATIVE RESOLUTION 38. Appreciation, Civil Defense Workers

Introduced by Robert B. Crosby of Lincoln

WHEREAS, the civilian defense volunteer workers in the State of Nebraska have rendered faithful and patriotic service, without pay, in organizing and carrying out activities designed to protect the welfare of the state; and

WHEREAS, the county and municipal chairmen, air raid warden instructors, citizen defense corps commanders, committee chairmen, block leaders and victory speakers, as well as the numerous volunteers who have taken training and participated in protective service such as air raid workers, auxiliary police and auxiliary firemen, are to be especially commended for their work; and

WHEREAS, the public schools, both faculty and students, have aided materially in furthering the defense activities of the state;

NOW THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

That upon behalf of the State of Nebraska, this Legislature expresses its appreciation of the splendid work of all the civilian defense volunteer workers in the state, and urges that there be no let up in the cooperation and response of such workers to any and all calls and appeals made to them to carry on the civilian defense work of the state.

Mr. Crosby moved that the rules be suspended and the resolution adopted.

The motion prevailed with 40 ayes, no nays, 3 not voting.

MOTION—To Reconsider

Mr. Peterson moved that the Legislature reconsider its action indefinitely postponing L. B. 295 and that it be placed on General File following L. B. 230.

The motion prevailed with 26 ayes, 5 nays, 12 not voting.

REPORT—Committee on Public Health

Mr. President: The Public Health and Miscellaneous Subjects Committee, by a majority vote of its members, voted to introduce this bill as a committee bill.

(Signed) Foster, Chairman

BILLS ON FIRST READING

The following bill was read the first time by title:

LEGISLATIVE BILL 446. By Public Health and Miscellaneous Subjects Committee, Harry A. Foster of Douglas, Chairman.

A bill for an act to amend section 43-512, C. S. Supp., 1941, relating to aid to dependent children; to increase the amount that may be allowed per month for such aid; and to repeal the original section.

Mr. Foster moved that the rules be suspended and the bill be referred.

The motion was lost with 17 ayes, 16 nays, 10 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Thursday, May 20, 1943, at 9:30 a. m.

L. B. 38 L. B. 264 L. B. 334 L. B. 314
L. B. 247

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 43. Referred to E and R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 437. Read and considered.

Mr. Greenamyre offered the following amendment, which was adopted:

Amend page 4 of the bill, section 3, lines 7 to 18, inclusive, by striking the word "Within" in line 7, all of lines 8 to 17, inclusive, and the words "held after such vacancy occurs" in line 18.

Standing Committee amendments, found in the Legislative Journal for the Seventy-sixth Day, were adopted.

Recess

At 12:00 m. on motion by Mr. Peterson, the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m., President Johnson presiding.

The roll was called and all members were present except Mr. Sorrell.

MOTION—To Suspend Rules

Mr. Doyle moved that the rules be suspended and L. B. 446 be placed on General File.

Record vote was requested.

Mr. Doyle moved a call of the House.

A call of the House was ordered.

Thirty-nine members were present.

Mr. Doyle moved to raise the call.

The motion prevailed with 19 ayes, 7 nays, 17 not voting.

Voting in the affirmative, 25: (Original motion)

Asimus
Burnham
Conklin
Craven
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Neubauer
Norman
Ogden
Peterson
Reavis
Thomas
Tvrdik

Voting in the negative, 9:

Anderson, James H.
Carmody
Crossland
Garber
Jeffords
Osborne
Raecke
Rakow
Weborg

Not voting, 9:

Anderson, D. S.
Bowman
Brodahl
Crosby
Hanna
Mischke
Mueller
Sorrell
Thompson

The motion was lost.

GENERAL FILE

LEGISLATIVE BILL 437. Mr. Peterson offered the following amendment, which was adopted:

Amend the committee amendments, Sec. 3, line 9, by striking the words "Director of Vocational Education" and inserting "executive secretary".

Referred to E and R for review.

LEGISLATIVE BILL 230. Read and considered.

Mr. Raecke offered the following amendment, which was adopted with 20 ayes, 1 nay, 22 not voting:

Amend page 3 of the bill, section 3, line 15, by inserting after the punctuation following the word "injury" the following:

"The term "occupational disease" shall mean only a disease which is due to causes and conditions which are characteristic of and peculiar to a particular trade, occupation, process or employment, and to exclude all ordinary diseases of life to which the general public are exposed."

Mr. Raecke moved to refer to E and R for review.

Mr. Cullingham presiding

Record vote was requested.

Voting in the affirmative, 22:

Anderson, James H.
Burnham
Conklin
Craven
Crosby
Crossland
Doyle
Foster
Gantz
Heiliger
Jeppesen
Klaver
Lee
Matzke
Neubauer
Norman
Ogden
Osborne
Raecke
Thomas
Thompson
Tvrdik

Voting in the negative, 3:

Asimus
Mekota
Rakow

Not voting, 18:

Anderson, D. S.
Bowman
Brodahl
Carmody
Cullingham
Dooley
Garber
Greenamyre
Gutoski
Hanna
Hubka
Jeffords
Mischke
Mueller
Peterson
Reavis
Sorrell
Weborg

Referred to E and R for review.

MOTION—To Reconsider 127

Mr. Ogden moved that the Legislature reconsider its action on Senator Garber's motion to postpone indefinitely L. B. 127.

Mr. Craven moved a call of the House.

A call of the House was ordered.

Thirty-nine members were present.

Mr. Craven moved to raise the call.

The motion prevailed with 30 ayes, 2 nays, 11 not voting.

Record vote was requested.

Voting in the affirmative, 18:

Bowman
Craven
Crosby
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Klaver
Neubauer
Norman
Ogden
Osborne
Peterson
Thomas
Tvrdik

Voting in the negative, 8:

Anderson, D. S.
Asimus
Garber
Hanna
Jeffords
Matzke
Rakow
Weborg

Not voting, 17:

Anderson, James H.
Brodahl
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Jeppesen
Lee
Mekota
Mischke
Mueller
Raecke
Reavis
Sorrell
Thompson

The motion was lost.

GENERAL FILE (Continued)

LEGISLATIVE BILL 295. Mr. Peterson asked that unanimous consent be granted to waive reading the bill.

No objection was offered. So ordered.

Standing Committee amendments, found in the Legislative Journal for the Fifty-fourth Day, were adopted.

Mr. Mueller moved to amend Sec. 6.

The motion was lost.

Mr. Crosby offered the following amendment, which was adopted:

Amend Standing Committee amendment 50 by striking the words "twenty thousand" and substituting "sixty thousand".

Mr. Lee offered an amendment to strike Sec. 9, which was lost.

Referred to E and R for review with 26 ayes, 7 nays, 10 not voting.

President Johnson presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 229. Placed on Select File with amendments.

E and R amendments to L. B. 229:

1. In General File amendment by Mr. Lee, inserted matter, line 5, strike "above described" and in lieu thereof insert "described therein", and in said line, strike ", or" and in lieu thereof insert "or,"; line 15, strike "person" and in lieu thereof insert "owners or the person or persons"; line 17, strike the comma after "sold"; insert a comma in line 2 after "goods", line 3 after "act", line 7 after "claim", line 8 after "debtor", line 11 after "newspaper".

2. In the bill, Section 1, page 2, strike all of line 2 after the word "goods" and all of line 3 except ", on which"; line 5, strike "or" before "upon" and in lieu thereof insert a comma, and in said line, strike the comma after "made"; line 6, after "furnished," insert: "remaining in the possession of a person, firm, partnership or corporation"; insert a comma in line 7 after "more", line 10 after "corporation", line 11 after "owing", line 14 after "storage".

3. In the bill, Section 2, page 2, line 2, strike the comma after "storage"; line 11, after "place of" insert "such"; insert a comma in line 3 after "labors", line 4 after "act", line 6 after "corporation", line 10 before "to".

4. In the bill, Section 3, pages 2 and 3, line 3, strike ", at" and in lieu thereof insert "at his, her, its or"; strike the period at the end of line 7 and in lieu thereof insert "under the provisions of this act.".

5. In the bill, Section 4, page 3, lines 2 and 3, strike ", from the proceeds of sale," and in lieu thereof insert "(a)"; line 4, strike "and

shall" and in lieu thereof insert: "and the costs, if any, of publishing the notice of sale from the proceeds of such sale, (b)"; line 5, strike "and shall" and in lieu thereof insert ", (c)"; insert "or owners" in line 6 after "owner", also in line 9, and in line 9, strike the comma after "owner" and in lieu thereof insert "or owners"; line 6, strike "his" and in lieu thereof insert "such owner's or owners' "; line 7, strike "of the sale," and in lieu thereof insert: "stating said sale has been had and (d)"; line 8, strike "him, and" and in lieu thereof insert "such owner or owners and,"; line 9, strike the word "sums" and in lieu thereof insert "balance"; line 10, strike "his hands." and in lieu thereof insert: "the hands of such person, firm, partnership or corporation." ; insert a comma at the end of line 1.

6. In the bill, Section 5, page 3, strike "in a" at the end of line 2 and all of line 3; line 4, after "times" insert: ", in a prominent place in their receiving office or offices," ; line 7, after "articles" insert ", which are"; line 8, before "charges" insert "upon which the", and in said line, strike "not having been" and in lieu thereof insert "are not"; insert a comma in line 2 before "taking" and also after "act", line 9 after "months".

7. In the bill, title, page 1, 7th line, strike "and to provide for the" and in lieu thereof insert: "to provide certain procedure therefor, including the publishing or"; 8th line, after "notices" and before the period, insert "thereof".

LEGISLATIVE BILL 287. Placed on Select File with amendments.

E and R amendments to L. B. 287:

1. In Standing Committee amendment No. 2, inserted matter, line 18, strike the period after "state" and in lieu thereof insert ";", and strike the comma at the end of said line; line 21, insert "," after "**1941**", also in line 43 after "**instituted**", line 47 after "**decree**", line 51 after "**pending**", line 57 after "**time**"; line 23, strike "**section**" and in lieu thereof insert: "**the provisions of said sections**"; strike "," in line 26 after "**company**", line 31 after "**company**", line 36 after "**company**", line 38 after "**officer**", after "**company**" in lines 42, 53, 60 and 62, after "**decree**" in lines 49 and 56, line 61 after "**service**"; insert "," at the end of line 42; line 57, after "**such**" insert "a"; line 59, strike "**or**" after "**officers**" and in lieu thereof insert ",".

2. In the bill, title, page 1, strike all of the title after "ACT" in the 2nd line, and all amendments thereto, and in lieu thereof insert: "to amend section 59-527, C. S. Supp., 1941, relating to unlawful discrimination in business; to provide for certain proceedings against and

penalties upon any corporation, joint stock company or other association, or the officers and agents thereof, violating the provisions of sections 59-523 to 59-526, both inclusive, C. S. Supp., 1941, which or who have been once previously adjudged to have violated the provisions of said sections 59-523 to 59-526, both inclusive; to vest certain powers and discretion in the Attorney General and also in the court, before whom proceedings brought by the Attorney General are tried, in regard thereto; and to repeal said original section and also sections 59-528 and 59-529, C. S. Supp., 1941."

3. In the Standing Committee amendment No. 2, Section 1, inserted matter, line 30, insert "**that**" at the end of the line after "**satisfied**".

LEGISLATIVE BILL 420. Placed on Select File with amendments.

E and R amendments to L. B. 420:

1. In General File amendment by Mr. James H. Anderson, adopted May 19, 2nd line, strike "10" and in lieu thereof insert "9, after the insertion by Mr. Heiliger," , and in the 3rd line strike "31".

2. In General File amendment by Mr. Conklin, adopted May 19, 3rd line, after "Amend" insert "Sec. 7," ; and strike Mr. Greenamyre's amendment to the same line.

3. In General File amendment by Mr. Osborne, adopted May 19, strike the comma after "thousand".

LEGISLATIVE BILL 214. Replaced on Select File with amendments.

E and R amendments to L. B. 214:

1. In the amendment of Mr. Dooley to Section 7, line 10, strike the new matter to be inserted, and in lieu thereof insert "twenty-five **fifty**; and strike the balance of Mr. Dooley's amendment with reference to line 15, on said page, and in lieu thereof in the bill Section 7, line 15, strike "; ten" and insert "; ten **and thirty-five**".

2. In the amendment by Mr. Crosby of May 14, 1943, strike the newly-inserted matter in quotation marks and insert "certified **duplicate**".

3. In Section 11, formerly Section 10, strike the word "and" at

the beginning of line 3, and after "60-1016" and before the comma, insert "and 60-325".

4. In Sec. 7, page 16, line 18, strike the comma and insert in lieu thereof "; and".

Correctly engrossed

L. B. 424 L. B. 418 L. B. 95 L. B. 337

Correctly enrolled

L. B. 394 L. B. 422

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 394 L. B. 422

Approved by the Governor

May 20, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 264 L. B. 297 L. B. 314 L. B. 369

On May 19th, the Governor approved the following bills, viz:

L. B. 22 L. B. 321 L. B. 385 L. B. 387
L. B. 365

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor

Adjournment

At 5:10 p. m. on motion by Mr. Cullingham, the Legislature adjourned until 10:00 a. m. Friday, May 21, 1943.

Hugo F. Srb
Clerk of the Legislature.

NINETY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 21, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hubka.

The Journal for the Ninety-sixth Day was approved.

Communications

A letter was read from D. F. Felton, District Director of O. P. A., regarding the thirty-five mile driving limit in Nebraska.

Referred to Committee

LEGISLATIVE BILL 446. Referred to Committee on Public Health

MOTION—To Suspend Rules and Place on General File

Mr. Foster moved to suspend the rules and place L. B. 446 on General File.

Mr. Doyle moved a call of the House.

A call of the House was ordered.

Forty-one members were present.

The Chair announced the call raised.

Record vote was requested.

Voting in the affirmative, 21:

Brodahl
Burnham
Conklin
Dooley
Doyle
Foster
Greenamyre
Gutoski
Heiliger
Jeppesen
Klaver
Matzke
Mekota
Neubauer
Norman
Ogden
Peterson
Reavis
Sorrell
Thomas
Tvrdik

Voting in the negative, 8:

Anderson, James H.
Asimus
Hanna
Jeffords
Mischke
Raecke
Rakow
Weborg

Not voting, 14:

Anderson, D. S.
Bowman
Carmody
Craven
Crosby
Crossland
Cullingham
Gantz
Garber
Hubka
Lee
Mueller
Osborne
Thompson

The motion was lost.

Member Excused

Mr. Craven was excused for an hour.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 414. With emergency clause.

A bill for an act to authorize the governing board of all lands of the State of Nebraska, except the Board of Educational Lands and Funds, and the governing board of all cities, towns, counties, public power districts, school districts and all other governmental subdivisions of the State of Nebraska to lease lands under their control for oil, gas, hydrocarbons and all other petroleum products, under the prescribed conditions and terms; to authorize such boards to enter into agreements for the pooling of acreage, or parts thereof, covered by such leases with other acreage; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, James H.
Craven
Crosby
Cullingham
Heiliger
Hubka
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 339. With emergency clause.

A bill for an act relating to cities of the first class, having a population of twenty-five thousand inhabitants or less, cities of the second class and villages; to provide that such cities and villages may enact ordinances combining the offices of city clerk and city treasurer; to provide for the salary of such combined office; to provide that, in such an event, the clerk shall perform the duties of such treasurer; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Asimus
Foster
Gantz
Klaver
Lee
Osborne
Peterson

Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Dooley
Doyle
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Anderson, James H.
Craven
Crosby
Cullingham
Hubka

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 293. With emergency clause.

A bill for an act to amend section 75-225, C. S. Supp., 1941, relating to the transportation of passengers and property by motor carriers in intrastate commerce upon the public highways of the state of Nebraska; to confer upon the State Railway Commission the power and authority to classify contract carriers and common carriers and to prescribe rules, regulations and requirements to be observed by such carriers so classified; to prescribe the use and effect of such classification and rules, regulations and requirements; to repeal said original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 33:

Anderson, D. S.
Bowman
Brodahl
Burnham
Conklin
Crosby
Dooley
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Doyle
Foster
Klaver
Peterson
Weborg

Voting in the negative, 1: Asimus.

Not voting, 9:

Anderson, James H.
Carmody
Craven
Crossland
Cullingham
Hubka
Jeppesen
Lee
Osborne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 413.

A bill for an act to amend sections 32-409, 32-521, 32-904, and 32-915, Compiled Statutes of Nebraska, 1929, and 32-406, 32-407 and 32-1203, C. S. Supp., 1941, relating to elections; to provide that where a member of the election board is a candidate for an office to be voted upon at the election, his or her membership on the election board shall be deemed vacant; to provide for filling of vacancies on election boards prior to all elections; to provide how members of election boards may be notified of their appointment; to provide who may excuse members of election boards from service; to provide by whom polling places shall be designated and provided; to provide that the canvass of votes by election boards shall not be open to the public; to provide the manner of preparation of the nonpolitical official ballot for all offices to be voted upon by such ballot; and to repeal original sections 32-409, 32-521, 32-904, and 32-915, Compiled Statutes of Nebraska, 1929, and 32-406, 32-407 and 32-1203, C. S. Supp., 1941, and also section 32-1207, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell

Carmody
Conklin
Crosby
Crossland
Gutoski
Hanna
Heiliger
Jeffords
Mueller
Neubauer
Norman
Ogden
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Craven
Dooley
Hubka

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 139. With emergency clause.

A bill for an act relating to the public health, convenience and welfare; providing for the examination and licensing of persons to practice chiropody, chiropractic, dentistry, embalming, medicine and surgery, optometry, osteopathy, pharmacy and veterinary medicine; providing the duties of licensees thereunder; providing for the revocation of licenses for cause, the procedure therefor, an appeal therefrom and the effect thereof; to provide for the registration, use and presumptive effect of such a license; to provide certain requirements for signs, advertisements, announcements and stationery of such licensees; to prescribe terms, number and certain qualifications of examiners on the various boards of examiners; to limit the number of terms of examiners on the Board of Examiners in Medicine and Surgery; to define certain terms; to state who shall be deemed to be engaged in the practice of medicine and surgery and the requirements for a license to practice medicine and surgery; to state the standards and requirements of a medical college or school in good standing; to provide for the payment of certain fees; to amend sections 71-205, 71-208, 71-303, 71-305, 71-306, 71-311, 71-601, 71-602, 71-603, 71-609, 71-613, 71-614, 71-801, 71-1401, 71-1402, 71-1403, and 71-1404, Compiled Statutes of Nebraska, 1929; to amend sections 71-206, 71-302, 71-304, 71-602 and 71-701, C. S. Supp., 1941; to repeal the above mentioned original sections and also section 71-1405, Compiled Statutes of Nebraska, 1929; to repeal all the acts and parts of acts in conflict therewith; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Member Excused

Mr. Crosby was excused for the remainder of the day.

Voting in the affirmative, 36:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, D. S.
Craven
Crosby
Heiliger
Hubka
Neubauer
Norman

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—Adjournment

Mr. Mueller moved that the Legislature reconsider its action of May 5 and now fix the date for final adjournment not later than Wednesday, May 26.

Mr. Sorrell asked a division of the question.

The motion to reconsider prevailed with 24 ayes, 5 nays, 14 not voting.

The Chair put the question to fix May 26, 1943, as the date for final adjournment.

The motion prevailed with 18 ayes, 3 nays, 22 not voting.

Recess.

At 12:10 p. m. Mr. Matzke moved to recess until 1:30 p. m.

The motion carried with 20 ayes, 16 nays, 7 not voting.

After Recess

The Legislature reconvened at 1:30 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Hubka, and except Mr. Crosby, who was excused.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Friday, May 21, 1943, at 10:15 a. m.

L. B. 129	L. B. 355	L. B. 402
L. B. 285	L. B. 364	L. B. 432
L. B. 318	L. B. 391	L. B. 439

Correctly Engrossed

L. B. 419	L. B. 435

LEGISLATIVE BILL 184. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 184

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 145.

A bill for an act to disapprove and reject the rules of practice and procedure promulgated by the Supreme Court of Nebraska on April 20, 1942, and reported to this regular session of the Legislature and to repeal sections 27-231, 27-232, 27-233, 27-234, 27-235, 27-236, 27-237 C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Anderson, D. S.
Asimus
Brodahl
Carmody
Craven
Dooley
Foster
Garber
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 10:

Anderson, James H.
Crossland
Cullingham
Doyle
Gantz
Matzke
Osborne
Peterson
Raecke
Rakow

Not voting, 7:

Bowman
Burnham
Conklin
Crosby
Greenamyre
Hubka
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 328.

A bill for an act to amend section 64-101, Compiled Statutes of Nebraska, 1929, relating to notaries public; to provide for the appointment and commissioning of general notaries public and the furnishing of bonds thereby, the filing of the bond with the Secretary of State and certain procedure and requirements in regard thereto; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, James H.
Asimus
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Anderson, D. S.
Bowman
Crosby
Hubka
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statement for the Journal

Mr. President: Had I been present when vote was taken on L. B. 328, I would have voted "aye".

(Signed) Bowman

LEGISLATIVE BILL 50.

A bill for an act relating to partnerships; to make uniform the law pertaining thereto; to provide for the citation of this act; to define the nature of a partnership; to define certain terms and what certain words and phrases include, as used in this act; to state the relations of partners to persons dealing with the partnerships; to define the relations of partners to one another; to define the property rights of a partner; to prescribe a procedure for the dissolution and winding up of partnerships, including the conveyance of any real property of the partnership; and to repeal section 30-503, Compiled Statutes of Nebraska, 1929, and all acts and parts of acts inconsistent with this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Anderson, D. S.
Crosby
Hubka
Mekota
Mueller
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 244. With emergency clause.

A bill for an act to authorize and empower county boards of counties, having more than two hundred thousand population, to borrow money and execute and deliver the promissory note or notes of such county in evidence thereof, under the prescribed circumstances and subject to the prescribed limitations and requirements; to regulate the manner of payment thereof; to provide for the use of money in one or more funds of such counties to pay warrants drawn on another fund or funds thereof in which fund or funds there is insufficient money presently available to pay outstanding legal warrants, under the prescribed conditions, to state the effect thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Dooley
Doyle
Foster
Gantz
Jeppesen
Klaver
Lee
Matzke
Osborne
Peterson
Raecke
Rakow

Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Crosby
Hubka

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 363. With emergency clause.

A bill for an act to amend section 27-601, C. S. Supp., 1941, relating to fiduciaries; to prescribe legal investments for trustees, executors, administrators or guardians in the absence of express instructions in the instrument creating the fiduciary relationship; to repeal said original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1: Raecke.

Not voting, 6:

Anderson, D. S.
Anderson, James H.
Craven
Jeppesen
Crosby
Hubka

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 195. With emergency clause.

A bill for an act to amend sections 31-630 and 31-631, C. S. Supp., 1941, relating to the discontinuance of the activities of sanitary drainage districts as independent governmental subdivisions of the state and to the number of trustees thereof; to provide procedure by petition of qualified voters for effecting such discontinuance; to provide for the number and manner of election of trustees; to increase to five the number of trustees in any such districts containing a city of fifty thousand or more inhabitants; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 40:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Anderson, James H.
Crosby
Hubka

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Postpone

LEGISLATIVE BILL 274. Mr. Gutoski moved to postpone indefinitely.

The motion prevailed with 38 ayes, 1 nay, 3 not voting.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 37

Approved by the Governor

May 20, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 396.

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

May 21, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 318 L. B. 391 L. B. 402 L. B. 432
L. B. 439

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

MOTION—To Reconsider Action

Mr. Sorrell moved that the Legislature reconsider its action on L. B. 444 as appears on page 1519 of the Legislative Journal and that L. B. 444 be placed on General File.

Mr. Sorrell moved a call of the House.

A call of the House was ordered.

Forty-one members were present.

Mr. Mischke moved to raise the call.

The motion prevailed with 22 ayes, 9 nays, 12 not voting.

Record vote was requested.

Voting in the affirmative, 16:

Brodahl
Conklin
Dooley
Doyle
Foster
Garber
Gutoski
Hanna
Jeppesen
Klaver
Lee
Matzke
Mekota
Rakow
Sorrell
Thompson

Voting in the negative, 15:

Anderson, D. S.
Anderson, James H.
Bowman
Carmody
Craven
Crossland
Cullingham
Gantz
Greenamyre
Jeffords
Mischke
Osborne
Raecke
Thomas
Weborg

Not voting, 12:

Asimus
Burnham
Crosby
Heiliger
Hubka
Mueller
Neubauer
Norman
Ogden
Peterson
Reavis
Tvrdik

The motion was lost.

REQUEST—For Unanimous Consent

Mr. Greenamyre asked that unanimous consent be granted to return L. B. 96 to Select File for amendments.

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 96. Mr. Greenamyre asked that unanimous consent be granted to adopt all Standing Committee amendments, as amended, and all Enrollment and Review amendments, as amended.

No objection was offered. So ordered.

Mr. Greenamyre offered the following amendments, which were adopted by unanimous consent:

1. Amend section 24 of the Standing Committee amendments, line 3, by inserting after the word "appropriate" the following:

", including $500.00 for expense of auditing State Assistance and Child Welfare Department by the Auditor of Public Accounts, from the following: Appropriate".

2. Amend section 24 of the Standing Committee amendments, lines 36 to 39, by striking the word and figures "including $500.00" in line 36, all of lines 37 and 38, and the word and punctuation "Accounts," in line 39.

Referred to E and R for engrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 39. Appreciation, Fred M. Gregg

Introduced by William A. Crossland and Robert B. Crosby.

WHEREAS, Honorable Fred M. Gregg, Ph. D., served as an able member of the twenty-eighth session of the Nebraska State Legislature, 1903; and

WHEREAS, his outstanding ability as a parliamentarian has been recognized for the past three decades, and his handbook of Parliamentary Law has been adopted and used as an authority for parliamentary practice of the Nebraska State Legislature since 1911, supplementing the standing rules of this Legislature; and

WHEREAS, he has devoted the major part of his active life to the field of education in Nebraska, and has rendered invaluable service for the past forty years as a teacher and educational leader; and

WHEREAS, he is about to retire from active work in this state and journey to his boyhood home in Ohio:

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That this Legislature express its deep appreciation for the invaluable counsel, aid and assistance rendered by Fred M. Gregg to the Nebraska Legislatures throughout the years in parliamentary procedure and for his long and distinguished service to Nebraska, and extend to him our best wishes for a full measure of continued happiness and success in his chosen field.

2. That the clerk of this Legislature prepare and send a copy of this resolution, suitably engrossed, to Fred M. Gregg.

SELECT FILE

LEGISLATIVE BILL 229. E and R amendments, found in the Legislative Journal for the Ninety-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 287. E and R amendments, found in the Legislative Journal for the Ninety-sixth Day, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 420. E and R amendments, found in the Legislative Journal for the Ninety-sixth Day, were adopted.

Mr. Cullingham offered the following amendments, which were adopted by unanimous consent:

1. Amend page 23 of the bill, by adding two new sections, to be numbered "26" and "27", reading as follows:

"Sec. 26. That section 29-2210, C. S. Supp., 1941, be amended to read as follows:

29-2210. The judges of all courts of record in the State **state** may from time to time appoint a person or persons to perform the duties of probation officer or officers, as hereinafter described, within the jurisdiction of the courts of such judges and under the direction of such judges, to hold office during the pleasure of the judge or judges making such appointment; and one copy of the order of appointment must be delivered to the officer so appointed, and one copy filed with the County Clerk **county clerk**. Any officer or member of the police force of any city or incorporated village who may be detailed to do duty in such court, or any constable or peace officer may be appointed as probation officer upon the order of any magistrate as herein provided. No probation officer appointed under the provision of this section shall receive any compensation for his services as such probation officer except as herein provided **may be provided by law**; but this shall not be construed to deprive any officer or member of the police force, or any constable or peace officer, appointed probation officer as herein provided from receiving the salary attached to his official employment. In counties having a population of more than fifty **sixty** thousand the judge of the district court having charge of the juvenile docket shall appoint one probation officer who shall be designated, "chief adult probation officer", who shall be paid as other salaried county officers are paid. In counties having a population of more than one hundred thousand and less than one hundred fifty thousand inhabitants, the judges of the district court shall appoint one adult probation officer who shall be designated "Chief Adult Probation Officer", **"chief adult probation officer"**, who shall receive an annual salary of twenty-one hundred dollars, payable monthly as other salaried county officers are paid and said "Chief Adult Probation Officer" **"chief adult probation officer"** shall perform the duties of Jury Commissioner **jury commissioner**, ex-officio **ex officio**, and such other duties, except social welfare worker, as said judges may from time to time designate, without additional compensation therefor. **:** Provided, the Clerk **clerk** of the District Court **district court**, in the absence or disability of the Jury Commissioner **jury commissioner**, shall perform the duties of said Jury Commissioner **jury commissioner**, without additional compensation. The chief adult probation officer in counties having a population of more than one hundred fifty thousand shall receive a salary of twenty one hundred dollars per annum. He shall have supervision of the work of all the probation officers in his county, except the probation officers of the juvenile court and he shall serve in all the courts in his county at the request of the judges holding such courts, except that in the juvenile court he shall not be required to serve as probation officer for children under the age of eighteen years. In counties having a population of under fifty **sixty** thousand the judge of the County Court **county court** shall appoint one probation officer who shall be designated "chief adult probation officer", who shall be paid as other salaried county officers are paid. He shall have general supervision of the work of all probation officers in his county, and he shall serve in all the courts of record of the ~~County~~ **county**, at the request of the judges holding such courts. He shall also perform the duties of probation officer for the juvenile court as prescribed by law. In counties having a population of less than ~~fifty~~ **sixty** thousand, the chief probation officers shall receive as compensation for their services such amount as the county commissioners shall determine, not exceeding seven hundred twenty dollars per annum. In counties having less than twenty thousand population the ~~Sheriff~~ **sheriff** shall perform all the duties of probation officer~~.~~ ; Provided, further, that the board of supervisors or commissioners of counties having less than twenty thousand population may authorize the county judge to appoint some person other than the sheriff of the county who shall perform the duties of probation officer, and such board shall fix the compensation of such office.

Sec. 27. That section 43-207, Compiled Statutes of Nebraska, 1929, be amended to read as follows:

43-207. The judge of the district court having charge of the juvenile docket shall have authority to appoint or designate two or more persons of good character, one of whom shall be a woman, to serve as probation officers during the pleasure of the court. Such officers shall perform the duties prescribed in this article for probation officers and such other duties as may be required by the judge of the juvenile court, and such officers shall receive no compensation from the county treasurer, except as ~~herein provided~~ **may be provided by law.** In counties having a population of ~~fifty~~ **more than sixty** thousand ~~and upwards~~ two probation officers, one of whom shall be designated as ~~"Chief Juvenile Probation Officer"~~ **"chief juvenile probation officer", and the other as "assistant juvenile probation officer",** shall be paid as other salaried county officers are paid in counties having more than ~~fifty~~ **sixty** thousand and less than one hundred and fifty thousand inhabitants. The ~~Chief Juvenile Probation Officer~~ **"chief juvenile probation officer"** shall receive a salary to be fixed by the judge of the district court making the appointment not exceeding eighteen hundred dollars per annum, and one other to be designated, ~~"Assistant Juvenile Probation Officer"~~, **"assistant juvenile probation officer",** shall be paid as other county officers are paid, to be fixed by said judge of the district court not exceeding fifteen hundred dollars per annum to be paid as other county officers are paid in counties having more than ~~fifty~~ **sixty** thousand and less than one hundred and fifty thousand inhabitants. In counties having over ~~150,000~~ **one hundred fifty thousand** inhabitants, ~~the Chief Juvenile Probation Officer shall receive a salary of three thousand dollars per annum.~~, **there shall be one chief juvenile probation officer** and ~~there shall be~~ five assistant juvenile officers. ~~who shall receive salaries of one hundred fifty dollars per month.~~ They shall be paid as other salaried officers are paid. In case a juvenile probation officer shall be appointed by any court, it shall be the duty of the clerk of the court, if practicable, to notify the said juvenile probation officer in advance, when any child is to be brought before the said court. It shall be the duty of said juvenile probation officer to make such investigations as may be required by the court, to be ~~presented (present)~~ **present** in court to represent the interests of the child when the case is heard; to furnish to the court such information and assistance as the judge may require and to take such charge of any child before and after trial as may be directed by the court. The county board may provide for the payment, out of the general fund, of the actual expenses of the juvenile probation officers incurred in the peformance of their duties prescribed by this article or under the order or direction of the court."

2. Amend page 25 of the bill, present section 26, line 1, by striking the present section number "26" and inserting in lieu thereof the figure "28".

3. Amend page 25 of the bill, present section 26, line 2, by striking the word "and" and inserting after the punctuation following the figures "33-134" the word, figures and punctuation "and 43-207,".

4. Amend page 25 of the bill, present section 26, line 3, by inserting after the punctuation following the figures "29-1803" the following figures and punctuation: "29-2210,".

5. Amend the title to the bill, line 3, by striking the word "and" and inserting after the punctuation following the figures "33-134" the words, figures and punctuation: "and 43-207,"; also lines 4 and 5, by inserting after the punctuation following the figures "29-1803" the following figures and punctuation: "29-2210,"; also line 16, by striking the word "and" and inserting after the punctuation following the figures "33-134" the following words, figures and punctuation: "43-207,"; also line 18, by inserting after the punctuation following the figures "29-1803" the following figures and punctuation: "29-2210,".

Referred to E and R for engrossment.

LEGISLATIVE BILL 214. E and R amendments, found in the Legislative Journal for the Ninety-sixth Day, were adopted.

Referred to E and R for engrossment.

Proposed Amendment to Rules

Mr. Raecke proposed the following amendment to the rules:

That Sec. 1, of Rule 16 be amended by adding the following sentence: "No resolution shall be introduced bearing the names of more than three members, but the names of additional introducers may be added by consent of the Legislature".

Referred to Committee on Rules.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 415
L. B. 372
L. B. 153

Correctly Enrolled

L. B. 155
L. B. 231
L. B. 238
L. B. 282
L. B. 309
L. B. 329
L. B. 331
L. B. 352
L. B. 353

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 155
L. B. 231
L. B. 238
L. B. 282
L. B. 309
L. B. 329
L. B. 331
L. B. 352
L. B. 353

REQUEST—To Place on Select File

Mr. Greenamyre asked that unanimous consent be granted to place L. B. 248 on Select File for the following specific amendments:

1. Amend the printed bill, section 70-704, page 8, line 73, by striking therefrom the words "within thirty".

2. Amend my amendment appearing on page 1333 of the Journal, by striking therefrom the first word thereof, namely, "Days".

3. Amend the amendment on page 1334 of the Journal, by inserting after the punctuation following the word "Lancaster" the following:

"Qualified electors of any voting precinct comprised in whole or in part of any municipality, as defined in section 70-701, C. S. Supp., 1941, situated within any of the foregoing election districts shall be qualified electors for the purpose of voting for a director to be elected from any such election district."

4. Amend the amendment on page 1334 of the Journal, line 11, by striking out the word "first".

5. Amend lines 13 to 16, page 1334 of the Journal, by striking the sentence beginning in line 13 with the words "In case there are two or more" and ending in line 16 with the words "shall elect a director" and substituting for the sentence stricken out the following language:

"In case there are two or more of such election districts that are not represented on the board of directors by qualified district electors residing in such districts as defined, at the time a vacancy occurs or the term of office of any director expires, the districts heretofore enumerated shall elect directors at the next following general election in the following order until all of such districts are represented on said board: District No. One; District No. Seven; District No. Two; District No. Six; District No. Four; District No. Five; District No. Three."

6. Amend the Greenamyre amendment appearing on page 1334 of the Journal, line 3, by striking the semicolon after the word "seven", inserting a period in lieu thereof, and then adding the following language:

"All unfilled positions on the board of directors resulting from the increase in the number of directors to seven, as above set forth, shall be filled by the Governor by appointment from districts not represented on the board of directors and in the sequence above set forth, to serve until the first Thursday after the first Tuesday succeeding the next general state election held after such increase is made and until successors so elected shall have been qualified. At the first general state election held after the increase of the number of directors to seven, one director shall be elected for a term of two years and one director, if necessary, to bring the number up to seven, for a period of four years, and each director shall be elected from districts, in the sequence above set forth, not having full term representation on the board of directors."

7. Amend the Greenamyre amendment appearing on page 1335 of the Journal by adding the following:

"All vacancies thereafter occurring on the board of directors shall be filled by the Governor by appointment until the vacancies be filled by the qualification of a director legally elected at the next general election held thereafter, and the appointment shall be made from the district in which the vacancies occurred."

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 248. Mr. Greenamyre asked that his specific amendments, above set out, be adopted by unanimous consent.

No objection was offered. So ordered.

Referred to E and R for review.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 123. Placed on Select File with amendments.

E and R amendments to L. B. 123:

1. In the bill, Section 1, page 2, line 4, strike "not exceeding" and in lieu thereof insert "**at** not ~~exceeding~~ **to exceed**", and at the end of the line, after "sums" insert "**per annum**"; line 5, strike "The mayor" and in lieu thereof insert "~~The mayor~~ **(a) Mayor**"; strike "per annum" and in lieu thereof insert "~~per annum~~" in lines 5, 6, 7 and 8; strike "the" at the beginning of line 6 and in lieu thereof insert "~~the~~ **(b)**"; line 7, before "each" insert "**(c)**"; strike "the" at the end of line 7 and in lieu thereof insert "~~the~~ **(d)**"; at the beginning of line 9, before "water" insert: "**and (e) each member of the board of public works, one hundred dollars. The salary of the**"; line 10, before "two" insert: "**shall also be so fixed by ordinance at not to exceed the sum of**"; strike "; each" at the end of line 10, all of line 11 and "per annum." at the beginning of line 12, and in lieu thereof insert: "~~;~~ **.** ~~each member of the board of public works, one hundred dollars per annum;~~"; line 13, strike "; and other" and in lieu thereof insert "~~; and other~~ **. Other**".

2. In the bill, Section 2, page 2, line 4, strike the comma after

"ordinance" and in lieu thereof insert "~~,~~ **at**"; line 5, after "amounts" insert "**per annum**" and in said line strike "clerk" and in lieu thereof insert "**(a)** ~~clerk~~ **Clerk**"; strike "per year;" at the beginning of line 6 and in lieu thereof insert: "~~per year~~ ; **(b)**", and strike "per year" at the end of the line and in lieu thereof insert "~~per year~~"; line 7, before "city" insert "**(c)**"; strike "and" before "fifty" and in lieu thereof insert "~~and~~" in lines 7 and 9; strike "per year" and in lieu thereof insert "~~per year~~" in lines 7, 8, 9 and 10; line 8, before "mayor" insert "**(d)**" and before "police" insert "**(e)**"; line 10, before "councilmen" insert "**and (f) each**", and in said line strike "each the sum of" and in lieu thereof insert "~~each the sum of~~".

3. In the bill, Section 3, pages 2 and 3, line 5, strike ", but" and in lieu thereof insert "~~,~~ ~~but~~ **at**", and strike the comma at the end of said line and in lieu thereof insert "~~,~~"; line 6, strike ", in one year: The clerk" and in lieu thereof insert: "~~,~~ ~~in one year~~ : ~~The~~ **(a)** ~~clerk~~ **Clerk**"; strike "the" at the end of line 7 and in lieu thereof insert "~~the~~ **(b)**"; line 9, strike "the" before "attorney" and in lieu thereof insert "~~the~~ **(c)**"; line 10, strike "the" before "marshal" and in lieu thereof insert "~~the~~ **(d)**"; line 12, strike "the" before "police" and in lieu thereof insert "~~the~~ **(e)**"; line 13, strike "the" before "overseer" and in lieu thereof insert "~~the~~ **and (f)**".

4. In the bill, Section 4, page 3, strike the comma at the end of line 2.

5. In the bill, title, page 1, 5th line, after "first" insert "and second"; 5th and 6th lines, strike ", cities of the second class".

LEGISLATIVE BILL 214. Correctly engrossed.

(Signed) James H. Anderson, Chairman

Members Excused

The following members were excused from the session on Saturday:

Messrs. Greenamyre, Weborg, Jeppesen, Raecke, Tvrdik, Neubauer, Lee, Thompson, Rakow, Conklin, Klaver, Thomas and Sorrell.

Adjournment

At 4:57 p. m. on motion by Mr. Foster, the Legislature adjourned until Saturday, May 22, 1943, at 9:00 a. m.

Hugo F. Srb
Clerk of the Legislature.

NINETY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Saturday, May 22, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Conklin, Greenamyre, Jeppesen, Klaver, Lee, Neubauer, Raecke, Rakow, Sorrell, Thompson, Tvrdik and Weborg, who were excused, and except Messrs. Asimus, Bowman and Garber.

The Journal for the Ninety-seventh Day was approved as corrected.

Speaker Crosby Presiding

SELECT COMMITTEE REPORTS

Investigation, Expense of Irrigation Rights

This litigation has to do with the protection of water appropriations on the North Platte River in Nebraska. The North Platte River rises in the North Park area of northern Colorado and flows in a northerly direction to a junction with the Sweet Water River west of Casper in Wyoming. From thence it flows in an easterly direction entering Nebraska east of Torrington, Wyoming. In 1920 representatives from Colorado, Wyoming and Nebraska held a series of conferences discussing what division for irrigation purposes should be made between the three states. These conferences, however, did not result in any agreement as to policy.

In 1933 the Attorney General of Wyoming and Senator Kendrick of that state obtained a tentative approval from Congress for the Casper-Alcova project. Wyoming wanted 70,000 acre-feet of North Platte river water for the Casper-Alcova development on the basis of 1 second foot for 70 acres. At this point Nebraska sought an agreement between the states. Colorado was opposing the development of the Casper-Alcova project if Wyoming were given reclamation money. The conferences held between the three states resulted in no agreement.

Governor Cochran, Mr. Willis and Mr. Paul Good, representatives of Nebraska, had no objections to the development of the Casper-Alcova Project provided the Nebraska priorities were recognized. To this demand Wyoming would make no definite agreement. In the year 1934, there being a shortage of water for Nebraska appropriators, the State Engineer began an investigation of the early priorities.

Wyoming would not consent to recognize our priorities unless a mutual basis could be reached, and as Nebraska has no water to give Wyoming, this basis for a compact could not be reached.

At this point Nebraska started suit, in which action the Nebraska representatives and state officials were agreed. Copies of the history of the appropriations and of the attempts to reach an agreement were sent to the attorneys who represented the various irrigation companies. Ten or fifteen of the lawyers were present at a conference at which this summary was put in final form for filing.

Colorado was not in the suit at this point, since she had only a small part of the water in controversy and it was not felt necessary to bring Colorado into the suit. Wyoming filed a motion to dismiss the suit in 1935. The Supreme Court, however, required Wyoming to answer. The suit was brought to attempt to force Wyoming to recognize the Nebraska priorities of earlier years. In 1935 the court was asked to appoint a special master. M. J. Daugherty of Minnesota was appointed. Mr. Good represented Nebraska and R. R. Rose of Casper was appointed for Wyoming. Mr. Rose filed a cross petition bringing Colorado into the case and this, of course, delayed matters until Colorado could file. At this point Governor Miller of Wyoming called for a conference to make a compact. This conference failed because Wyoming refused to recognize any priority of appropriation for Nebraska. Nebraska contended that if the Casper-Alcova project were to take water in preference to her seniority appropriations, not enough would be left to satisfy our water-users; while Wyoming contended that if these Nebraska priorities were recognized, she would not have sufficient water for the Casper-Alcova project without accumulated storage. The Secretary of the Interior had the council for that Department make a study of water supplies and of priorities and the council decided that Nebraska was not entitled to the 1904 priorities. This was followed by a field trip over the irrigation area including Denver, Fort Collins, Casper and down to Grand Island, as it was thought without an inspection of the whole territory the complete situation could not be understood.

In prosecuting the suit it was necessary for Nebraska to prove the priority date of every appropriation and the operation of every irrigation canal, thus developing a situation where there were really 70 or 80 suits. Weeks of testimony were taken at different points or places in the area mentioned. Wyoming claimed that Nebraska sought to include an excessive area. For example, one canal covering from 60,000 to 63,000 acres in Nebraska was estimated by Wyoming at 35,000 acres. Weeks were spent by the council for Wyoming examining the Nebraska records and interrogating the Nebraska Water Commissioner, Mr. Willis. On the other hand, Nebraska had to prove that Wyoming was taking water out of turn in substantial quantities and to show how much Wyoming was entitled to, what were their priorities and how much they actually took. Climatic conditions as to rain fall were involved. Crop injuries under different conditions had to be estimated. The question of underground waters and possible pump irrigation was also involved as the law states you must use your own resources first.

It was not until November, 1942, that all these matters of preparation were finished. Meanwhile, the United States Government had entered the suit claiming that its rights through the reclamation service were involved and contending also that it had the right of overseeing any distribution of water between the states. It also claimed to own all unappropriated waters and that in 1924, when the Government North Platte project was started, it had reserved water for its control exclusively, independent of the state. In January, 1943 these matters were argued before Mr. Daugherty in St. Paul. Three weeks were consumed for the presentation before the master. The master will make a report of his proposed decision and time will be given to the contending parties to extract the points they wish to present before the United States Supreme Court. This report by the master will be ready early this summer. Within the next few months the case upon the reports should be argued before the Supreme Court pending final decision.

During the 1939-1941 biennium, Mr. John L. Riddell has been added to the legal staff as Assistant to Mr Paul F. Good. This addition was made for two reasons given; (1) that in case of some emergency, preventing the action of Mr. Good, Mr. Riddell might continue his work; (2) to assist in the growing legal work in the case. At various times other men were engaged in special legal work on the case. The chief items of expense have gone to the following persons:

Mr. Good	$42,938.61
Mr. Riddell	11,516.75
Mr. R. T. Meeker, Engineer	39,586.61
Mr. Marion Ball, Engineer	16,720.79

The balance of the total of $162,000.00, appropriated by the different legislatures, has gone for clerical, legal, and miscellaneous expenses. A statement from Wyoming, through the Nebraska Legislative Reference Bureau, shows that Wyoming has spent upon this suit approximately the same amount as has Nebraska. Colorado has returned to the inquiry no exact statement as to its expenditures, which must have been considerable.

The Appropriation Committee has recommended in its budget an additional $21,000.00 for the prosecution of this case. It is to be expected that a final decision in this case will be reached during the ensuing biennium.

(Signed) Osborne, Carmody,
James H. Anderson,
Committee.

Mr. Peterson moved that the report be incorporated in the Journal.

The motion prevailed.

REQUEST—For Unanimous Consent

Mr. James H. Anderson asked that unanimous consent be granted to consider L. B. 123 on Select File.

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 123. E and R amendments, found in the Legislative Journal for the Ninety-seventh Day, were adopted.

Referred to E and R for engrossment.

REQUEST—For Unanimous Consent

Mr. Burnham asked that unanimous consent be granted to have legislative bill 431 returned to Select File for the following specific amendments:

1. Amend page 2 of the bill, section 1, line 23, by striking the words "twenty-five" and substituting in lieu thereof the following "~~twenty-five~~ **twenty-two**".

2. Amend page 2 of the bill, section 1, line 28, by striking the words "twenty-five" and substituting in lieu thereof the following: "~~twenty-five~~ **twenty-two**".

3. Amend the title, line 6, by striking the words "twenty-five" and substituting in lieu thereof the words: "twenty-two".

4. Amend the title, line 9, by inserting after the punctuation following the word "dollars" the following:

"to provide that in counties under township organization having twenty-two thousand or more inhabitants and less than sixty thousand inhabitants, the annual salary of members of the board of supervisors shall be nine hundred fifty dollars;".

No objection was offered. So ordered.

SELECT FILE (Continued)

LEGISLATIVE BILL 431. Mr. Burnham's specific amendments, above set out, were adopted by unanimous consent.

Referred to E and R for engrossment.

Adjournment

Mr. James H. Anderson moved to adjourn until Monday at 10:00 a. m.

Mr. Mischke moved a call of the House.

A call of the House was ordered.

Mr. James H. Anderson moved to raise the call.

The motion prevailed with 17 ayes, 4 nays, 22 not voting.

The motion to adjourn prevailed with 20 ayes, 4 nays, 19 not voting.

The Legislature adjourned at 9:47 a. m.

Hugo F. Srb
Clerk of the Legislature.

NINETY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska

Monday, May 24, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Hubka.

The Journal for the Ninety-eighth Day was approved.

MOTION—To Suspend Rules

Mr. Greenamyre moved that the rules be suspended and L. B. 96 be printed for third reading without the lines being numbered, as is the practice and procedure on all legislative bills, third reading.

The motion prevailed with 34 ayes, no nays, 9 not voting.

MOTION—Memorial Resolution

Mr. Gantz moved that a Memorial Committee be appointed, for the purpose of introducing a resolution commemorating the lives and service of former members of the Legislature who have become deceased since the 1941 session.

The motion prevailed with 34 ayes, no nays, 9 not voting.

The President appointed the following members to serve on said committee:

Gantz
Garber
Neubauer

MOTION—To Hold Hearing

Mr. Foster moved that the rules be suspended and the Public Health and Miscellaneous Subjects Committee be allowed to hold a public hearing on L. B. 446, Tuesday, May 25, 1943, 1:30 p.m.

The motion was lost with 19 ayes, 3 nays, 21 not voting.

Member Excused

Mr. Greenamyre was excused for the remainder of the morning.

RESOLUTIONS

LEGISLATIVE RESOLUTION 39. Mr. Crossland moved that the Resolution be adopted.

The motion prevailed with 30 ayes, no nays, 13 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Saturday, May 22, 1943, at 9:30 a.m.

L. B. 422
L. B. 394
L. B. 184

Monday, May 24, 1943, at 8:45 a.m.

L. B. 155
L. B. 231
L. B. 238
L. B. 282
L. B. 309
L. B. 329
L. B. 331
L. B. 352
L. B. 353

LEGISLATIVE BILL 248. Placed on Select File with amendments.

E and R amendments to L. B. 248:

1. In General File amendments by Mr. Greenamyre, filed May 10, adopted May 19, inserted matter, 3rd line, insert a comma after "**Where**"; strike "**No.**" after "**District**", in each instance, and before the numbers "**1**", "**2**", "**3**", "**4**", "**5**", "**6**" and "**7**"; page 2, 6th line, strike the comma before "**Saline**"; 8th line, after "**Otoe;**" insert "**and**"; 11th line, after "**directors**", strike "**, and**" and in lieu thereof insert "**and,**".

2. In General File amendment by Mr. Matzke, 2nd line, strike " "Seward" " at the end of the line and in lieu thereof insert "Seward,".

3. In General File amendments by Mr. Greenamyre, filed and adopted May 21, amendment No. 5, inserted matter, line 3, strike the comma after "defined"; strike all of said amendment after "board:" in the 7th line, and in lieu thereof insert: "**District 1; district 7; district 2; district 6; district 4; district 5; and district 3.**" In amendment No. 6, inserted matter, 11th line, strike the comma after "necessary". In amendment No. 7, inserted matter, 2nd line, strike "by appointment"; and in lieu thereof insert "**,**"; strike "be" at the beginning of the 3rd line and in lieu thereof insert "**are**" and after "filled" insert "**by appointment,**"; 4th line, strike ", and the" and in lieu thereof insert "**. Such**"; 5th line, strike "vacancies" and in lieu thereof insert "**vacancy to be filled by such appointment**". In amendment No. 6, inserted matter, in the 5th and 13th lines, strike "above" and in lieu thereof insert "**hereinafter**".

4. In the bill, Section 1, pages 2, 3, 4 and 5, line 1, strike "or" and in lieu thereof insert "~~or~~"; line 11, strike "state in" and in lieu thereof insert: "**must state and contain the following: (a)** ~~in~~ **In**"; line 12, strike "by said petition" and in lieu thereof insert "~~by said petition~~"; line 14, strike "**The** petition must state" and in line 15 strike "and contain: (a)" and in lieu thereof insert: "~~petition must state and contain: (a)~~ **(b)**"; line 24, strike "(b)" and in lieu thereof insert "~~(b)~~ **(c)**"; line 25, strike "(c)" and in lieu thereof insert "~~(c)~~ **(d)**"; line 29, strike "(d)" and in lieu thereof insert "~~(d)~~ **(e)**"; line 30, strike "(e)" and in lieu thereof insert "~~(e)~~ **(f)**"; line 33, strike "(f)" and in lieu thereof insert "~~(f)~~ **(g)**"; line 49, after "he" insert "**or she**"; line 64, after "he" insert "**or she**"; line 68, after "every" insert "**such**"; line 69, strike "signature" and in lieu thereof insert "signatures"; line 73, strike "depose" and in lieu thereof insert "deposes"; line 74, after "he" insert "**or she**"; line 77, strike "he" and in lieu thereof insert "~~he~~ **affiant**"; line 79, after "his" insert "**or her**" and strike the comma after "name" and in lieu thereof insert "~~,~~ **;**"; line 80, after "he" insert "**or she**"; line 87, strike "at once to" and in lieu thereof insert "~~at once~~ to **at once**"; line 88, strike, "of" after "and" and in lieu thereof insert "~~of~~"; line 90 strike "conforming" and in lieu thereof insert "~~conforming~~ **to conform**"; and in said line, after "department" insert "**to be**"; line 91, strike "successors" and in lieu thereof insert "~~successor~~ **successors**"; line 92, strike "from" and in lieu thereof insert "~~from~~ **after**"; line 97, after "cause" insert "**one of**" and strike the word "certificate" and in lieu thereof insert "~~certificate~~ **certificates**"; line 98, after "and" insert "**the other one**"; line 104, strike "**the** certificate" and in lieu thereof insert "~~certificate~~ **such certificates**"; line 105, strike "in the office of" and in lieu thereof insert "~~in the office of~~"; line 110, strike "as" and in lieu thereof insert "**,** as **provided for**" and in said line strike "provided" and

in lieu thereof insert "~~provided~~"; line 111, strike "director" and in lieu thereof insert "~~director~~"; line 112, after "named" insert "**director**"; line 127, before "**notice**" insert "**a**", strike the word "**so**" and after "**do**" insert "**so sent**"; insert "," in line 5 after "organized" and also after "**act**", line 7 after "petition", line 16 after "contain", line 17 after "business", line 39 after "petition", line 63 after "sheet" and also after "petitioner", line 75 after "person", line 76 after "sheet", line 80 after "petitioner" and also after "signature", line 86 after "petition", line 106 after "clerk" and after "directors", line 107 after "petition", after "qualify" and after "act", line 109 after "vacancy", line 126 after "**amendment**", line 127 after "**Engineer**", line 130 after "**suit**", line 132 after "**located**"; line 80, after "his" insert "**or her**"; strike the comma and in lieu thereof insert "~~,~~;" in line 4 after "District" ", line 45 after "qualified", line 89 after "works"; strike the comma in line 116 after "**operates**", line 118 after "**lines**", line 129 after "**state**" .

5. In the bill, Section 2, pages 6, 7, 8 and 9, line 4, strike "Sec." and in lieu thereof insert "~~Sec.~~ **section**"; line 5, after "existing" insert "**, amended by this act**"; line 10, strike "and" after "nominated" and in lieu thereof insert "~~and~~ ,"; and in said line strike "shall" and in lieu thereof insert "~~shall~~"; line 25, strike "~~:~~ ." and in lieu thereof insert "~~:~~ ."; line 26, strike "That subject" and in lieu thereof insert "~~that subject~~ **Subject**"; line 27, strike ", and subject to" and in lieu thereof insert "~~, and subject to~~"; line 41, strike ", if" and in lieu thereof insert "~~,~~ if ,"; line 47 strike "part" and in lieu thereof insert "~~part~~ **parts**"; strike all of line 95 after "disability" and all of line 96 up to the word "subdivision" and in lieu thereof insert "~~,~~ **of a director** ~~or~~, removal **of a director** from the district ~~of any director,~~ or ~~removal from the~~"; line 106, after "his" insert "**or her**"; line 107, after "elected" insert "**or appointed**"; insert "**or her**" after "his" in lines 114, 118 and 119; line 118, strike "shall" and in lieu thereof insert "~~shall~~"; insert "," in line 4 after "district", line 14 after "municipalities", line 15 after "district", after "**Where**" in lines 66 and 70, at the end of line 100, line 114 after "office"; strike the comma at the end of line 6, line 59 after "**operates**", line 62 after "**state**"; strike the comma and in lieu thereof insert "~~,~~;" in line 100 after "causes", "vacancy" and "vacancies" .

6. In the bill, title, page 1, 7th line, strike the comma after "systems"; 11th line, strike ", of which six shall" and in lieu thereof insert "to"; strike all of the 12th and 13th lines and in lieu thereof insert "districts herein set forth and in the order, manner and form prescribed herein; to"; strike "the" at the beginning of the 16th line and in lieu thereof insert "such a" and before "amendment" insert "an"; 18th line, after "directors" insert "of such a district" and strike the comma after "seven"; 21st line, after "such" insert "a"; strike "corres-" at the end of the 21st line and all of the 22nd line and in lieu thereof insert: "herein prescribed; to prescribe who are qualified voters for the

within designated purposes; to provide for appointments to the board of directors of such a district, under certain prescribed conditions, by the Governor;".

7. In section 2, page 9, line 111, insert "**or her**" after "his" and in line 113 insert "," after "director".

LEGISLATIVE BILL 138: Placed on Select File with amendments.

E and R amendments to L. B. 138:

1. In Standing Committee amendment No. 3, last line, strike the period after "**jail**" and in lieu thereof insert ",".

2. In Standing Committee amendment No. 5, strike all of the 2nd line after "striking", all of the 3rd line and "**Provided,**" in the 4th line, and in lieu thereof insert: " "~~Provided,~~" and adding the following matter: "; Provided," ".

3. In Standing Committee amendment No. 7, inserted matter, strike the comma in the 1st line after "**meals**", 2nd line after "**clothing**"; 3rd line, strike "**therefor**".

4. In Standing Committee amendment No. 8, at the beginning of the insertion after the quotation mark and before "A" insert "**(1)**".

5. In Standing Committee amendment No. 9, inserted matter, insert a comma in the 1st line after "**sheriffs**", 2nd line after "**inhabitants**"; strike the comma in the 3rd line after "**prisoners**" and also the word "**shall**" at the end of the line.

6. In the bill, Section 1, page 2, line 8, strike "or" and in lieu thereof insert "~~or~~"; line 9, strike "facias" and in lieu thereof insert "~~facia~~ **facias**"; line 17, strike "or" and in lieu thereof insert "~~or~~ **,**"; line 20, after "within" insert "**or outside**"; line 22, after "mile" insert "**so**"; strike the word "all" at the end of line 23 and in lieu thereof insert "~~all~~"; line 24, strike the semicolon after "writs" and in lieu thereof insert "~~:~~ ;"; strike all of lines 32 and 33 and in lieu thereof insert: "~~traveling expenses for each mile actually and necessarily traveled outside their several counties, eight cents;~~"; strike the comma and in lieu thereof insert "~~,~~" in line 9 after "citation", line 15 after "bond", line 27 after "routes", line 47 after "attachment", line 57 after "dollars"; insert "," in line 24 after "and".

7. In the bill, Section 1, pages 4 and 5, line 74, after "showing" insert "**(a)**"; line 76, strike the comma after "time" and in lieu thereof insert "~~,~~" and strike the word "and" after "service" and in lieu thereof insert "**,** and **(b)**"; line 78 strike "also" and in lieu thereof insert "also **(c)**"; line 79, strike "and he" and in lieu thereof insert "and he **. He**"; line 80, strike the comma after "treasurer" and in lieu thereof insert "~~,~~ **,**"; strike the comma in line 83 after "**more**", line 89 after "**lights**", line 92 after "**sheriff**"; line 93, strike "**as may be**"; line 94, after "**shall**" insert "**only**"; line 95, strike "**only; and then only**" and in lieu thereof insert "**and**"; line 98 before "**that**" insert "**(a)**"; line 100, strike the semicolon after "**quantity**" and in lieu thereof insert "**, (b)**"; line 101, strike "**; that the same**" and in lieu thereof insert "**, (c)**"; line 103, strike "**that**" and in lieu thereof insert "**(d)**"; insert "**,**" in line 91 after "**provided**", line 92 after "**board**" and also after "**person**", line 97 after "**purchases**".

8. In the bill, Section 2, pages 5 and 6, line 9 strike the semicolon and in lieu thereof insert "**.**"; line 11, strike "and such" and in lieu thereof insert "and such **Such**"; lines 14 and 15, strike "; and such sheriffs or jailers" and in lieu thereof insert: "~~;~~ and such sheriffs or jailers **. They**"; line 18, strike "his" and in lieu thereof insert "his **their**"; line 19, strike "his" and in lieu thereof insert "his **such**"; strike the word "and" and in lieu thereof insert "and" in lines 19 and 20; lines 20 and 21, strike "; and" and in lieu thereof insert: "**or prisoners** ~~;~~ and **,**"; line 22, strike "; also" and in lieu thereof insert "~~;~~ also **and**", and at the end of the line strike "by him" and in lieu thereof insert "by him"; line 23, strike the semicolon and in lieu thereof insert "~~;~~ **.**"; line 26, strike "under his" and in lieu thereof insert "**to** under his"; line 27, after "shall" insert "**quarterly**"; line 28, after "amount" insert "**then**"; lines 28 and 29, strike ", payable to him ~~;~~ **quarterly.**" and in lieu thereof insert "~~,~~ payable to him~~;~~ **.**"; line 32, strike "**shall**"; line 34, strike the comma after "**prisoners**" and in lieu thereof insert "**the same**"; line 43, strike "When" and in lieu thereof insert "when **When**"; line 44, after "requires" insert "**that**"; line 48, after "paid" insert "**to**"; strike the comma and in lieu thereof insert "~~,~~" in line 4 after "counties", line 7 after "prisoners", line 23 after "fuel", line 25 after "jailer", line 44 after "kept"; strike the comma in line 32 after "**prisoners**", line 41 after "**county**".

9. In the bill, title, page 1, 3rd line, after "jails" insert: "and fees of sheriffs"; 2nd line, insert a comma after "Supp."; strike the word "shall" in the 8th and 9th lines; strike the comma at the end of the 8th line; 9th line, after the semicolon and before "and" insert: "to provide for the designation of some person, other than the sheriff or any deputy sheriff, in counties having a population of over two hundred thousand, by the county board to purchase certain supplies for jails and providing certain duties for such person; to prescribe certain duties of sheriffs and jailers;".

10. In the bill, Section 1, page 2, strike all of line 11 and all of line 12 up to the semicolon, and in lieu thereof insert: “cents **,** **for the first defendant and twenty-five cents for each of the other defendants** ~~defendants after the first~~ in the same case **,** ~~twenty-five cents~~”.

LEGISLATIVE BILL 431. Replaced on Select File with amendments.

E and R amendments to L. B. 431:

In the bill, Section 1, page 2, line 23, insert the words “**or more**” after the word “thousand”, to make it comply exactly with the amendment No. 4, to the title, by Mr. Burnham, adopted on May 22nd.

LEGISLATIVE BILL 437. Placed on Select File with amendments.

E and R amendments to L. B. 437:

1. In Standing Committee amendment No. 3, 2nd line, after “5” insert: “, except “79-2205.” at the beginning of line 3”.

2. In General file amendment by Mr. Peterson, 1st line, strike “committee amendments” and in lieu thereof insert “bill”; 1st line, strike “line 9” and in lieu thereof insert “page 5, line 26”.

3. In the bill, Section 2, page 3, line 10, strike “acts” and in lieu thereof insert “~~act~~ **acts**”, also in lines 14 and 18; page 4, line 16, strike “,” after “things” and in lieu thereof insert “**,**”; line 18, strike “the provisions” and in lieu thereof insert “~~the provisions~~”.

4. In the bill, Section 3, pages 4 and 5, line 18, strike the comma; line 29, strike “acts” and in lieu thereof insert “~~act~~ **acts**”.

5. In the bill, title, page 1, strike all of the 4th line after “1929”, and all of the 5th and 6th lines and “compensation of” in the 7th line, and in lieu thereof, insert: “, in regard to the State Board of Vocational Education; to provide for the membership and officers of this board; to provide for the payment of the expenses of the”; 9th line, after “an” insert “assistant”.

LEGISLATIVE BILL 384. Placed on Select File with amendments.

E and R amendments to L. B. 384:

1. In Standing Committee amendment No. 1, inserted matter, line 3, after “employees” and before the comma, and in line 7 after “state”

and before the period, insert: "in the cities designated in section 2 of this act"; line 5, strike "and (2) The" and in lieu thereof insert "(2) the".

2. In Standing Committee amendment No. 2, inserted matter, line 6, strike the word "shall"; insert a comma in line 13 after "vote", line 14 after "year".

3. In Standing Committee amendment No. 3, line 5, strike the word "two" and in lieu thereof insert "forty"; line 6, strike "under" and in lieu thereof insert "a fourth year of service under a"; line 7, strike "a fourth year of service"; strike the comma in line 1 after "served" and also after "serve", line 7 after "board".

4. In Standing Committee amendment No. 8, after "Teachers" insert: "and before "presently", and in the first line, after "page" strike "5" and in lieu thereof insert "4".

5. In Standing Committee amendment No. 20, inserted matter, line 2, after "teacher" insert "in the cities affected by this act"; line 3, after "his" insert "or her"; line 9, strike the comma after "Instruction"; line 18, strike ", and for" and in lieu thereof insert ". For".

6. In Standing Committee amendment No. 22, line 1, after "teachers" insert "in the cities affected by this act".

7. In Standing Committee amendment No. 25, 2nd line, strike "two" and in lieu thereof insert "forty".

8. In the bill, Section 4, formerly 3, page 3, line 1, after "teacher" insert "in the cities affected by this act"; line 2, after "he" insert "or she"; line 3, strike "shall"; line 5, strike "unless it" and at the end of the line, after "canceled" insert a comma; line 14, strike "provided that" and in lieu thereof insert "but, however,".

9. In the bill, Section 5, page 4, insert a comma in line 2 after "law", after "1943" and also after "shall"; line 3 after "regulations".

10. In the bill, Section 6, formerly 7, line 2, after "teacher" insert "in the cities affected by this act"; line 5, strike the period after "manner" and in lieu thereof insert a colon; line 6, strike the semicolon after "contract"; line 9, after "his" insert "or her"; line 15, after "he" insert "or she"; line 20, strike "; the" and in lieu thereof insert ". Such"; line 24, strike "at the hearing"; line 26, strike "contract, and" and in lieu thereof insert "or her contract and to"; line 27, after "him"

insert "or her"; insert a comma in line 4 after "board" and in line 7 before "the", at the end of the line.

11. In the bill, Section 11, page 6, line 1, strike "11" and in lieu thereof insert "9"; and after "board", inserted by Standing Committee amendment No. 23, insert "in the cities affected by this act,"; line 3, strike "or" before "professional" and in lieu thereof insert a comma; line 9, strike "procedures" and in lieu thereof insert "procedure".

12. In the bill, title, page 1, 2nd line, after "having" insert "or hereafter attaining"; 5th line, after the semicolon and before "to" insert: "to require evidence of professional growth, as herein set forth, as to certain teachers;"; 7th line, insert a comma after "contracts"; 9th line, strike the comma after "force".

LEGISLATIVE BILL 255. Placed on Select File with amendments.

E and R amendments to L. B. 255:

1. In Standing Committee amendment No. 2, inserted matter, 2nd line, strike the comma after "act".

2. In Standing Committee amendment No. 18, 2nd line, after "section" insert "except "Sec. 34." in line 1".

3. In Standing Committee amendment No. 19, 2nd line, after the quotation mark and before "tangible" insert "and".

4. In Standing Committee amendment No. 23, inserted matter, 3rd line, after "his" insert "or her"; 6th line, strike "or" after "pay" and in lieu thereof insert a comma; 11th line, after "shall" insert ", upon conviction thereof,".

5. In General File amendment by Mr. Greenamyre, to Section 12, strike the period after "Unions" and before the quotation mark; strike "comma following the" in two places.

6. In General File amendment by Mr. Crossland, 2nd line, before "the words "insert" and before "one" ".

7. In the bill, Section 1, page 2, insert a comma in line 2 after "organized", in line 3 after "chapter"; line 4, strike the semicolon after "members" and in lieu thereof insert a comma; line 5, strike the semicolon after "purposes".

8. In the bill, Section 3, page 2, line 2, insert a comma after

"execute" and also after "triplicate"; line 3, strike "by" and in lieu thereof insert "stating" and strike "of" after "terms" and in lieu thereof insert "by"; line 4, after "state" and before the colon insert "the following"; line 5, strike "The name" and in lieu thereof insert "Name"; line 6, after "and" insert "the"; line 7, strike "the names" and in lieu thereof insert "Names"; line 9, strike "The par" and in lieu thereof insert "Par" and insert a comma at the end of the line; line 11, strike "The term" and in lieu thereof insert "Term"; line 13, strike "The parties are" and in lieu thereof insert "Parties who are to be"; strike all of line 14 after "act" and "Act" in line 15.

9. In the bill, Section 4, page 2, line 1, strike "also", strike the word "and" and in lieu thereof insert a comma and after "adopt" insert "and execute in duplicate"; line 2, after "union" insert "which shall be"; line 3, strike "and execute the same in"; line 4, strike "duplicate".

10. In the bill, Section 6, pages 2 and 3, line 2, strike "of" after "days" and in lieu thereof insert "after"; line 3, strike "said".

11. In the bill, Section 5, page 2, insert a comma in line 1 after "association", in line 2 after "triplicate"; line 3, strike "who" and in lieu thereof insert "which".

12. In the bill, Section 7, page 3, strike "them" at the end of line 4 and "shall be returned, together with" in line 5, and in lieu thereof insert: "such approved copies and"; line 6, strike the comma after "bylaws" and in lieu thereof insert "shall be returned".

13. In the bill, Section 8, page 3, line 2, before "articles" insert "approved"; line 3, strike ", as approved" and at the end of the line, after "the", insert "approved"; line 4, strike ", as approved,"; line 5, strike "has" and in lieu thereof insert "is to have"; line 6, strike "He" and in lieu thereof insert "Such officer" and strike "for filing and index the" and in lieu thereof insert "such"; line 7, after "association" insert "for filing and indexing"; line 8, strike ". He shall" and in lieu thereof insert "and".

14. In the bill, Section 9, page 3, line 5, strike "chapter" and in lieu thereof insert "act,"; line 6, strike ", and on" and in lieu thereof insert ". Upon the"; line 7, before "shall" insert "it" and in said line strike "without charge" and in lieu thereof insert "or her"; line 8, strike "said" and in lieu thereof insert "such"; line 9, strike the period and in lieu thereof insert "without charge.".

15. In the bill, Section 10, pages 3 and 4, line 1, insert a comma

after "persons" and also after "union"; lines 4 and 5, strike ", which shall be in January of each year,"; line 6, strike "the" after "of" and in lieu thereof insert "annual or special"; line 7, strike "with" and in lieu thereof insert "and"; line 9, before "their" insert "and"; line 10, strike "of" and in lieu thereof insert "in regard to"; line 12, strike "their" and in lieu thereof insert "its", also in line 14; line 22, after "(m)" insert "and"; line 23, strike "and" and in lieu thereof insert a comma; insert a comma in line 11 after "act", line 23 after "matter".

16. In the bill, Section 11, page 4, line 3, insert a comma after "members" and also after "by-laws"; line 4, strike "provided" and in lieu thereof insert "if the" and in said line strike "shall have"; line 6, after "with" insert: "and approved in writing by"; line 7, strike "and approved in writing,".

17. In the bill, Section 12, pages 4 and 5, line 1, strike "co-"; line 3, strike "under"; line 9, after "shall" insert ", upon conviction thereof,"; line 10, strike "or" and in lieu thereof insert a comma; line 11, strike the semicolon after "both" and in lieu thereof insert "such a fine and such imprisonment" and strike the comma after "year"; line 12, before "their" insert "his, her, its or".

18. In the bill, Section 13, page 5, line 2, after "to" insert "and the approval of"; lines 2 and 3, strike ", and obtaining its approval".

19. In the bill, Section 14, pages 5 and 6, line 1, after "power" insert: "to:" and strike "to make" and in lieu thereof insert "Make"; strike "to" in line 2, before "sue" and also before "adopt", in line 3 before "purchase", line 5 before "receive", line 8 before "lend", line 11 before "borrow", line 13 before "invest", at the end of line 24, line 32 before "insure", line 34 before "have"; at the end of line 13, after "funds" insert "in"; line 14, strike "in" before "loans" and also before "obligations"; lines 14 and 15, strike "the United States of America,"; line 16, strike "thereby, or in" and in lieu thereof insert "by the United States of America,"; line 17, strike the comma after "governments"; line 22, strike "in" and in lieu thereof insert "and"; line 25, strike "banks and in" and in lieu thereof insert a comma, and after "state" strike "banks,"; line 32, strike "to" after "made" and in lieu thereof insert "by"; line 33, strike "by" after "union" and in lieu thereof insert "to"; line 34, after the semicolon and before "(m)" now "(j)", insert "and"; line 35, before "carry" insert "effectively"; line 36, strike "effectively".

20. In the bill, Section 15, page 6, line 3, strike "copartnerships" and in lieu thereof insert "partnerships"; line 4, strike "and" and in lieu thereof insert a comma; line 5, after "and" insert "have", and

strike "the same" and in lieu thereof insert "such share or shares,"; line 6, strike "with" and in lieu thereof insert "have paid"; line 12, strike "education" and in lieu thereof insert "educational"; line 20, strike "as such", and at the end of the line, after "membership" and before the period insert "as such"; strike the comma in line 3 after "copartnerships", at the end of line 6, line 12 after "social", line 13 after "employer", line 16 after "directors", line 18 before "to".

21. In the bill, Section 16, pages 6 and 7, line 4, before "condition" insert "its"; lines 6 and 7, strike "the Department of Banking" and in lieu thereof insert "said department"; line 8, strike "date thereof" and in lieu thereof insert "close of such fiscal year", and in said line, before "oath" insert "the"; line 10, strike "by the oath"; insert a comma in line 1 after "unions", line 2 after "act", at the end of line 3, line 13 after "neglect"; strike the comma in line 5 after "year".

22. In the bill, Section 18, pages 7 and 8, line 2, strike "annually" and in lieu thereof insert "once a year"; line 3, strike ", or" and in lieu thereof insert "or any of the"; line 6, strike ", and" and in lieu thereof insert "and,"; line 7, after "have" insert "the"; line 22, strike "in conformity with" and in lieu thereof insert "as is provided by", and in said line, after "be" insert "possible"; strike the comma in line 4 after "it", line 5 after "securities", line 9 after "testimony", line 10 after "reports", line 12 after "state"; insert a comma in line 7 after "examination", line 10 after "appear", line 20 after "dissolution".

23. In the bill, Section 20, page 8, line 4, strike ", but special" and in lieu thereof insert ". Special" and in said line, after "by" insert "the"; line 5, strike "of" after "or"; line 6, after "the" and before "request" insert "written" and in said line strike "in writing"; line 7, strike ", or" and in lieu thereof insert "or by".

24. In the bill, Section 22, page 8, line 1, insert a comma after "members"; line 4, strike "copartnership" and in lieu thereof insert "partnership" and strike the comma after "union".

25. In the bill, Section 23, pages 8 and 9, line 5, strike "any of the" and in lieu thereof insert "either of"; lines 5 and 6, strike ", nor shall one person" and in lieu thereof insert ". One person shall not"; line 6, strike "more than one" and in lieu thereof insert "both"; line 8, after "as" insert "the"; at the end of line 9, before the period, insert: ", except as stated in section 24 of this act"; insert a comma in line 1 after "meeting", line 7 after "committees" and before "as", line 8 after "elect".

26. In the bill, Section 24, page 9, line 1, strike "each" and in lieu thereof insert "the"; line 2, strike "the" before "fiscal" and in lieu

thereof insert "each" and insert a comma after "year"; strike "a" at the end of line 3, and in line 4 before "treasurer"; line 4, strike the comma after "secretary".

27. In the bill, Section 25, pages 9 and 10, line 4, strike "and" and in lieu thereof insert ", but"; line 6, after "directors" insert "to"; strike "to" in line 6 before "act", line 8 before "fix", line 10 before "determine", line 12 before "recommend", line 14 before "limit", line 15 before "fill", line 18 before "fix", at the end of line 20; insert a comma at the end of line 10, in line 11 after "act", line 25 after "authorize", line 28 after "member" and also after "severally", line 31 after "member"; line 18, strike "from time to time"; line 19, strike "lent" and in lieu thereof insert "loaned", and in said line strike "(h) to" and in lieu thereof insert "within the limits stated in section 51 of this act, (h)"; line 21, strike "from time to time", also in lines 24, 26 and 27; strike the comma in line 23 after "treasurer", line 27 after "director", line 30 after "director"; at the end of line 31, after "his" insert "or her"; line 32, strike "and in the" and in lieu thereof insert a comma; lines 33 and 34, strike ". His compensation shall" and in lieu thereof insert "and to".

28. In the bill, Section 27, page 10, line 2, strike "may" and in lieu thereof insert "shall"; line 3, insert a comma after "union" and also after "office" and at the end of the line after "his" insert "or her"; line 5, strike ", nor may he" and in lieu thereof insert "or".

29. In the bill, Section 28, page 10, line 2, insert a comma after "directors".

30. In the bill, Section 29, page 10, line 7, after "required" insert: "and at least monthly,"; lines 7 and 8, strike "and not less often than monthly".

31. In the bill, Section 30, pages 10 and 11, line 4, strike ", but security" and in lieu thereof insert ". Security"; line 6, before "manner" insert "a"; line 8, strike "and the" and in lieu thereof insert ". The"; line 13, strike "his" and in lieu thereof insert "a"; insert a comma in line 6 after "wages", line 10 after "committee", line 7 after "Nebraska".

32. In the bill, Section 31, page 11, strike the comma in line 2 after "accounts" at the end of line 3, line 4 after "directors", line 16 after "director"; line 3, strike "from time to time"; line 5, strike "they" and in lieu thereof insert ", the committee"; strike all of line 12 except the word "members" and in lieu thereof insert "or all officers, directors or"; line 13, strike the semicolon after "committee"; line 17, strike "lay" and in lieu thereof insert "present"; lines 20 and 21,

strike ", and shall" and in lieu thereof insert "and"; line 22, strike "not less frequently than" and in lieu thereof insert "at least".

33. In the bill, Section 33, page 12, line 1, strike the word "for"; line 3, insert a comma after "may" and also after "member".

34. In the bill, Section 35, page 12, line 2, after "fee" insert ", of"; line 3, insert a comma after "cents" and after "his" insert "or her".

35. In the bill, Section 36, page 12, lines 2 and 3, strike "in such case" and in lieu thereof insert "any such".

36. In the bill, Section 37, page 12, line 4, insert a comma after "shares" and also after "trustee"; also in Section 38, line 3, after "account".

37. In the bill, Section 40, page 12, lines 2 and 3, strike "; but no" and in lieu thereof insert ". No".

38. In the bill, Section 41, page 13, line 3, after "his" insert "or her"; insert a comma in line 4 after "member", line 7 after "member" and also after "shares", and also in Section 42, line 2 after "that", line 3 after "directors".

39. In the bill, Section 43, page 13, strike the comma in line 1 after "fines", line 2 after "fees"; line 3, strike the word "shall".

40. In the bill, Section 44, insert a comma in line 1 after "year", line 3 after "union", line 4 after "year", line 8 after "members"; line 7, strike "shall"; line 13, strike "may".

41. In the bill, Section 45, pages 13 and 14, line 1, insert a comma after "year", also line 9 after "union".

42. In the bill, Section 46, page 14, line 4, strike the comma after "union"; line 5, strike ", provided" and in lieu thereof insert "if"; at the end of line 6 after "sent" insert: "by ordinary mail to the last known address of the members"; strike "to the last" at the end of line 7 and all of line 8 up to the period; insert a comma in line 13 after "board".

43. In the bill, Section 47, page 14, line 3, after "purpose" insert "which is attended by"; line 4, strike "attending"; line 8, insert a comma after "association".

44. In the bill, Section 48, line 1, after "denote" insert "the"; line 6, strike "and" and in lieu thereof insert a comma.

45. In the bill, Section 49, page 15, insert a comma at the end of line 6, in line 9 after "union"; line 18, after "by" insert "the" and strike "or" at the end of the line, same being repeated at the beginning of line 19.

46. In the bill, Section 50, page 16, line 2, strike "chapter" and in lieu thereof insert "act".

47. In the bill, page 16, add another section, as follows: "Sec. 53. This act shall be known and styled "Credit Union Act"."

48. In the bill, title, page 1, 4th line, strike the comma after "unions"; 5th line, after "incorporation," insert "taxation, officers,"; last line, before Standing Committee amendment No. 1, insert: "to limit the loans of such associations to members; to define certain terms used in this act; to prescribe certain duties and powers of the Department of Banking in regard thereto; to provide for the manner of construction of laws conflicting with any part of this act;".

LEGISLATIVE BILL 230. Placed on Select File with amendments.

E and R amendments to L. B. 230:

1. In General File amendment by Mr. Raecke, inserted matter, 4th line, strike the comma after "employment"; 2nd line, after "injury" insert "and before "The".

2. In the bill, Section 1, page 2, line 4, insert "," after "**disease**"; line 5, after "his" insert "**or her**"; line 7, strike "he" and in lieu thereof insert "~~he~~ **such employee**" and after "his" insert "**or her**"; line 8, strike ", provided" and in lieu thereof insert "~~,~~; ~~provided~~ **if**" and strike the word "himself" and in lieu thereof insert "~~himself~~"; line 9, strike ", and the" and in lieu thereof insert "~~,~~; ~~and the~~ **The**"; line 10, after "whether" insert "**or not**"; strike the comma at the end of line 12 and in lieu thereof insert "~~,~~;".

3. In the bill, Section 2, page 2, strike all of line 4 except "both shall be" and in lieu thereof insert: "~~Part II of this article~~ **sections (48-109 to 48-115) , inclusive, as amended,**"; line 8, strike the comma after "by" and in lieu thereof insert "~~,~~;".

4. In the bill. Section 3, pages 2, 3 and 4, line 2, strike "amended"

and in lieu thereof insert: "said section is amended in part as shown in section 48-152, C. S. Supp., 1941,"; line 9, strike ", and" and in lieu thereof insert "; and **who is**"; line 10, insert "," before "as"; at the end of line 25 insert ";"; strike the comma in line 39 after "**causes**"; line 41, strike the comma after "injury" and in lieu thereof insert ";", also in line 42 after "disability"; insert "," in line 46 before "when", line 57 after "who" and also after "initiative"; line 60, strike "or" and in lieu thereof insert "or"; line 61, strike "evidence" and in lieu thereof insert "evidence **evidences**" and strike the comma after "safety" and in lieu thereof insert ";".

5. In the bill, Section 4, page 4, line 2, strike "and" and in lieu thereof insert "section"; line 3, strike "amended," and in lieu thereof insert: "said section is amended in part as shown in section 48-152, C. S. Supp., 1941, and original section 48-152, C. S. Supp., 1941,".

6. In the bill, title, page 1, 4th line, strike "amended" and in lieu thereof insert: "said section is amended in part as shown in section 48-152, C. S. Supp., 1941"; 8th line, after the semicolon, insert: "to define the term "occupational disease", as used in this act, and to specifically exclude certain causes of death or disability from such term and to specifically include therein an aggravation of a pre-existing occupational disease under the conditions herein set forth;"; strike the period at the end of the 9th line, and in lieu thereof insert: "and also said original section 48-152, C. S. Supp., 1941.".

LEGISLATIVE BILL 176. Replaced on Select File with amendments.

E and R amendments to L. B. 176:

1. In the bill, Section 6, formerly 7, page 9, line 5, strike "45-145" and in lieu thereof insert "**45-146, C. S. Supp., 1941,**"; line 6, strike "**section 6**" and in lieu thereof insert "**sections 4 and 5**", and in said line, strike "**45-146**" and in lieu thereof insert "**45-145**".

Correctly Engrossed

L. B. 225
L. B. 440
L. B. 72

Correctly Enrolled

L. B. 145
L. B. 413
L. B. 50
L. B. 139
L. B. 293
L. B. 244
L. B. 328
L. B. 414
L. B. 339
L. B. 363

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 145
L. B. 413
L. B. 50

L. B. 139
L. B. 293
L. B. 244
L. B. 328

L. B. 414
L. B. 339
L. B. 363

Legislative Resolution 38

MOTION—To Reconsider

Mr. Peterson moved that Legislative Bill 195 be recalled and placed on third reading and that the action of the Legislature passing this bill be reconsidered.

The motion prevailed with 36 ayes, no nays, 7 not voting.

MOTION—To Recommit to Select File

Mr. Peterson moved that L. B. 195 be returned to Select File for the following specific amendment:

In the Bill, title, page 1, line 3, after "1941", insert "and section 31-605, Compiled Statutes of Nebraska, 1929,".

The motion prevailed with 29 ayes, no nays, 14 not voting.

SELECT FILE

LEGISLATIVE BILL 195. Mr. Peterson's specific amendment, above set out, was adopted.

Referred to E and R for engrossment.

MOTION—To Suspend Rules

Mr. James H. Anderson moved that the rules be suspended and that all bills on Select File be considered at once.

The motion prevailed with 36 ayes, no nays, 7 not voting.

SELECT FILE (Continued)

LEGISLATIVE BILL 248. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 138. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 431. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 437. E and R amendments, found in this day's Journal, were adopted.

Mr. Crosby moved that the rules be suspended and that the following amendment by Mr. Matzke be considered on Select File:

Amend Standing Committee amendments as follows:

Line 2, strike "State Treasurer" and insert "Presiding judge of the Nebraska Workmen's Compensation Court".

Line 3, insert after "Secretary," the following: "who shall be the executive head of the board,".

Line 4, strike "and the treasurer, the State Treasurer" and insert "the State Treasurer shall act as treasurer for the board".

Amend the title to conform.

The motion prevailed with 33 ayes, no nays, 10 not voting.

Mr. Matzke moved that the amendment be adopted.

The motion prevailed.

Referred to E and R for engrossment.

LEGISLATIVE BILL 384. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 255. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 230. E and R amendments, found in this day's Journal, were adopted.

Unanimous consent was granted to add the name of Sam Klaver to the bill.

Referred to E and R for engrossment.

LEGISLATIVE BILL 176. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

May 21, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 355 L. B. 38

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

May 24, 1943.

To the President, the Speaker, and Members of the Legislature.
Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 334.

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 299.

A bill for an act to amend section 30-1701, C. S. Supp., 1941, relating to proceedings for determination of heirship; to provide that a petition for determination of heirship may be filed by any heir of the deceased or other person having a present interest in any land of which the deceased died seized in fee or of any interest therein; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Asimus
Brodahl
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Bowman
Burnham
Greenamyre
Hubka
Jeffords
Jeppesen
Matzke

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 160. With emergency

A bill for an act to amend section 53-338, C. S. Supp., 1941, relating to liquor control; to prohibit the selling, giving away, disposing of, exchanging, delivering or permitting the sale, gift or procuring of alcoholic liquor to or for minors or persons who are mentally incompetent or physically or mentally incapacitated by the consumption of such alcoholic liquors; to prohibit minors from misrepresenting their ages for the purpose of asking for, purchasing or receiving such alcoholic liquors; to prohibit any person from selling, giving away, disposing of, exchanging or bartering such alcoholic liquors to any Indian, including mixed bloods, herein designated; to provide penalties therefor; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Jeffords
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Garber
Greenamyre
Hubka
Jeppesen
Matzke

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 101.

A bill for an act to amend sections 32-1102, 32-1140 and 32-1173, Compiled Statutes of Nebraska, 1929, and sections 32-1123 and 32-1164,

C. S. Supp., 1941, relating to elections, primary elections and definition of terms used in elections and primary elections; the election of delegates to county conventions; the holding of pre-primary conventions and post-primary conventions; the endorsing of candidates by conventions; and the placing of such endorsements on primary ballots and the preparation of such ballots; and to repeal the original sections 32-1102, 32-1140 and 32-1173, Compiled Statutes of Nebraska, 1929, and sections 32-1123 and 32-1164, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik

Voting in the negative, 9:

Asimus
Burnham
Carmody
Craven
Garber
Mueller
Neubauer
Osborne
Weborg

Not voting, 4:

Dooley
Greenamyre
Hubka
Norman

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 443. With emergency clause.

A bill for an act to repeal legislative bill 201, fifty-sixth session of the Nebraska Legislature, relating to appropriation of six thousand five hundred dollars for the Board of Control to purchase certain land; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Dooley
Greenamyre
Hubka
Matzke
Osborne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Recess

At 12:00 m. on motion by Mr. Klaver the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Hubka, and except Mr. Greenamyre who was excused to check the appropriation bill.

Visitors

Mr. Garber introduced Mr. A. B. Peirce of Red Cloud and Mr. Rakow introduced Dr. D. L. Fletcher of Orchard, who addressed the Legislature briefly.

Speaker Crosby Presiding

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 420. Replaced on Select File with amendments.

E and R amendments to L. B. 420:

1. In Select File amendments by Mr. Cullingham, adopted May 21, 1943, amendment No. 1, line 9, strike "; and one" and in lieu thereof insert "~~; and one~~ **. One**"; lines 26 and 27, strike ", who shall be" and in lieu thereof insert "~~, who shall be~~ **and**"; line 35, strike "said" and in lieu thereof insert "~~said~~"; lines 35 and 36, strike "**"Chief adult probation officer**" shall" and in lieu thereof insert "~~shall~~"; line 50, strike "he shall" and in lieu thereof insert "~~he shall~~"; line 58, strike ", who shall" and in lieu thereof insert "~~, who shall~~ **and**"; line 61, strike "shall" and in lieu thereof insert "~~shall~~"; line 72, strike "board of supervisors or commissioners" and in lieu thereof insert "~~board of supervisors or commissioners~~ **county boards**"; strike the comma and in lieu thereof insert "~~,~~" in line 10 after "appointed"; line 61 after "county"; insert "," in line 13 after "village", line 22 before "from", line 35 after "paid", line 45 after "officer", line 46 after "thousand", line 50 after "court", line 55 after "thousand", line 73 after "counties" and also after "population", line 74 after "person", line 75 after "county".

2. In Mr. Cullingham's amendment No. 1, Section 27, line 10, strike ", and such officers" and in lieu thereof insert "~~, and such officers~~ **. They**"; line 14, before "two" insert "**, said judge shall so appoint**"; lines 17 and 18, strike ", shall be paid as other salaried county officers are paid in" and in lieu thereof insert ". ~~shall be paid as other salaried county officers are paid in~~ **In**"; line 20, strike ". The" and in lieu thereof insert "~~, The~~ **, they**"; lines 20 and 21, strike "**chief juvenile probation officer**" and in line 21 strike "a salary" and in lieu thereof insert "~~a salary~~ **salaries**"; lines 22 and 23, strike "appointment not exceeding" and in lieu thereof insert "appointments **, but** not ~~exceeding~~ **to exceed**"; lines 23 and 24, strike ", and one other to be designated," and in lieu thereof insert "~~, and one other to be designated,~~ **for the "chief juvenile probation officer" and not to exceed fifteen hundred dollars per annum for the**"; line 25, strike ", shall" and in lieu thereof insert "~~shall~~"; strike all of lines 26 and 27 and "hundred dollars per annum" in line 28, and in lieu thereof insert "~~be paid as other county officers are paid, to be fixed by said judge of the district court not exceeding fifteen hundred dollars per annum~~"; strike all of line 29 after "in", all of line 30 and "tants" in

line 31, and in lieu thereof insert: "**such** counties ~~having more than fifty thousand and less than one hundred and fifty thousand inhabitants~~"; line 43, after "officer" and before "to" insert "**(a)**"; line 44, after the comma and before "to" insert "**(b)**"; line 46, strike the semicolon and in lieu thereof insert "~~;~~ , **(c)**"; line 47, after "and" and before "to" insert "**(d)**"; strike the comma and in lieu thereof insert "~~;~~" in line 16 before "**and**", line 41 after "advance".

3. In Mr. Cullingham's amendment No. 5, 11th line, after the quotation mark and before "43-207," insert the word "and".

(Signed) James H. Anderson, Chairman

STANDING COMMITTEE REPORTS

Committee on Committees

Mr. President: Your committee on Committees begs leave to report that it has had under consideration the nomination of Ernest Bihler to the position as member of the Game, Forestation and Parks Commission and recommends confirmation.

(Signed) Charles F. Tvrdik,
Chairman

Mr. Tvrdik moved that the report be adopted and the appointment confirmed.

The report was adopted.

Vote on Mr. Bihler

Voting in the affirmative, 28:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Carmody
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Jeffords
Jeppesen
Klaver
Lee
Mischke
Mueller
Neubauer
Norman
Ogden
Raecke
Rakow
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 5:

Conklin
Craven
Mekota
Osborne
Sorrell

Not voting, 10:

Asimus	Dooley	Heiliger	Matzke
Brodahl	Greenamyre	Hubka	Peterson
Crosby			Reavis

The Speaker declared the appointment of Mr. Bihler confirmed.

SELECT FILE

LEGISLATIVE BILL 420. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

Approved by the Governor

May 22, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved Legislative Bill 422.

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

May 24, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 129
L. B. 155
L. B. 231
L. B. 238
L. B. 282
L. B. 331

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 236. With emergency clause.

A bill for an act to amend sections 79-902 and 79-522, C. S. Supp., 1941, relating to schools; to provide that the rate to be charged for high school tuition for the pupils specified therein shall be three dollars per week; to repeal the original sections, and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Foster
Garber
Greenamyre
Hubka

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 71.

A bill for an act to amend sections 17-127 and 17-440, Compiled Statutes of Nebraska, 1929, relating to powers of cities of the second class and villages in granting franchises and making contracts; providing for a maximum period of 25 years for a gas and electric service franchise, to all public service companies, whether publicly or privately owned; providing that contracts for furnishing of electricity for water pumping, street lighting and similar services rendered to a city of the second class or village shall not exceed five years; providing, that no public service company, whether publicly or privately owned, shall sell to any city of the second class or village, now generating its own electric current for all or the major portion of its electric requirements, unless authorized by a vote of its electors; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 29:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Carmody
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Jeffords
Lee
Matzke
Mischke
Mueller
Norman
Ogden
Peterson
Raecke
Reavis
Thompson
Tvrdik
Weborg

Voting in the negative, 9:

Asimus
Brodahl
Conklin
Heiliger
Jeppesen
Mekota
Neubauer
Rakow
Sorrell

Not voting, 5:

Greenamyre
Hubka
Klaver
Osborne
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

President Johnson presiding

LEGISLATIVE BILL 205. With emergency clause.

A bill for an act to amend section 19-410, Compiled Statutes of Nebraska, 1929, relating to salaries of officers and employees of cities operating under a commission form of government; to provide for an increase in the annual salary to be paid councilmen of cities having two thousand or more and less than twenty-five thousand population; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Garber
Greenamyre
Hubka
Jeffords
Neubauer

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 436. With emergency clause.

A bill for an act to amend section 79-1003, C. S. Supp., 1941, relating to schools; to increase until the end of the fiscal school year closing June 30, 1945, by one additional mill, the aggregate school tax that may be levied by a county high school district; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Gantz
Garber
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 1: Rakow

Not voting, 6:

Asimus
Foster
Greenamyre
Hubka
Mueller
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Refer to Select File

Mr. Sorrell moved to refer L. B. 204 to Select File for the following specific amendment:

Strike the enacting clause.

The motion was lost with 13 ayes, 26 nays, 4 not voting.

LEGISLATIVE BILL 204. With emergency clause.

A bill for an act to provide for the creation of a power commission in cities of the metropolitan class as a public body corporate and politic and a political subdivision; to define the nature, area, organization, powers, duties and activities of such a commission; to provide for its membership, officers and employees and certain conditions and qualifications thereof; to provide for the acquisition and operation by the commission of the existing electric utilities serving such cities, other municipalities and other territory herein specified, within and without the state; to provide for the financing of such a commission and its said acquisitions, the issuance of bonds and notes by it, under the prescribed limitations, types and procedure and certain provisions with reference to payment thereof and interest thereon; to require the commission to make payments of certain sums of money, herein provided for, to equal the state and local taxes on property of such commission, as herein specified, and other sums herein provided for; to provide that such commission and its property shall be exempt from taxes; to provide certain regulations and limitations upon the powers of such commission; to provide penalties; to provide for such commission to have the power of and be subject to the laws regarding public power districts, as herein specified; to provide for submission of certain propositions by initiative referendum and recall under prescribed conditions and procedure; to prohibit alienation, in any manner, of any property of such commission to any private person, firm or corporation, as herein prescribed; to provide for the use of electric energy generated by water power by such power commission, as herein specified; to provide for certain auditing and inspecting of books, papers and property of the commission; to provide for the acquisition of property by or of such a power commission by purchase or through the use of eminent domain proceedings under certain conditions; to define terms as used in this act; to provide for the removal from office of a director of such a power commission and the procedure therefor; to provide for salaries and expenses to be paid directors, officers and employees of such a commission and certain qualifications and regulations in regard to such directors, officers and employees; to provide for the purchase at wholesale of electric current from the commission by cities, villages, incorporated rural electrification districts and public power districts and prescribing the manner of determining rates to be charged therefor; to limit and restrict the powers of public power districts, political subdivisions or other public bodies within the corporate limits of a metropolitan city and also within the area in which the commission is authorized to operate; to provide for the extension of the area of such a power commission under the prescribed conditions and limitations; to provide for the acquisition of the property of such a commission under the prescribed methods, procedure and limitations; to provide for severance damages in such an event, as herein prescribed and limited, and certain procedure therefor; to provide that the powers conferred shall be exercised without any restriction or limitation under the city charter of home rule cities; to state a savings clause; to provide for the construction of this act; to provide how this act shall be cited; to amend sections 14-1027, 14-1029 and 14-1030, Compiled Statutes of Nebraska, 1929, and section 14-1028, C. S. Supp., 1941, relating to operation of utilities by metropolitan utilities districts; to repeal said original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 25:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 14:

Asimus
Bowman
Carmody
Craven
Doyle
Garber
Heiliger
Jeppesen
Mekota
Neubauer
Osborne
Sorrell
Thomas
Weborg

Not voting, 4:

Burnham
Hubka
Jeffords
Mueller

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. 204 With Emergency Clause Stricken

Voting in the affirmative, 25:

Anderson, D. S.
Anderson, James H.
Brodahl
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Klaver
Lee
Matzke
Mischke
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 12:

Asimus
Carmody
Craven
Doyle
Garber
Jeppesen
Mekota
Neubauer
Osborne
Sorrell
Thomas
Weborg

Not voting, 6:

Bowman
Burnham
Heiliger
Hubka
Jeffords
Mueller

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

Explanation of Vote

Mr. President: I vote no, because the American Power and Light of New York own eighty-nine per cent of voting stock in Nebraska Power Co. and Nebraska Power is the only company which had paid lobbyist for the passage of this act. This legislation is for American Power and Light, New York.

(Signed) Doyle

Mr. President: I am voting for L. B. 204 to give the people of Omaha the opportunity to acquire and operate their own electric system, and believe that as now amended the bill provides adequate protection to them to do so, especially because of their right to vote on the purchase price.

(Signed) Gantz

REQUEST—To Refer to Select File

Mr. Greenamyre asked that unanimous consent be granted to place L. B. 96 on Select File for the following specific amendments to the mimeographed standing committee amendments:

1. In the amendment covering lines 32 to 34, inclusive, Section 9, page 5, of the Standing Committee amendments, strike "63" and in lieu thereof insert "67", referring to the "auditor account number".

2. In Section 17 of the Standing Committee amendments, page 9, strike all amendments to said Section, and insert in lieu thereof the following: "For administration, including salaries, maintenance, meter rental and supplies, in addition to appropriation provided by legislative bill 410, fifty-sixth session of the Nebraska State Legislature, 1943 $3,000.00".

3. In the newly-inserted and present Section 36, in regard to "Nebraska Brand Committee", strike "real estate commission fund" and in lieu thereof insert "Nebraska brand inspection and theft fund".

4. In the newly-inserted and present Section 37, strike "Nebraska brand and theft fund" and in lieu thereof insert "real estate commission fund".

5. In present Section 41 of the Standing Committee amendments, on page 25 in the amendment thereto in regard to the College of Agriculture and referring to "legislative bill 284", strike "not to exceed 25,000.00" after "1943,".

6. In the last line of Section 13 of the Standing Committee amendments, in an amendment thereto, strike "not to exceed 50,000.00"; and after "E-108", about two lines before the part stricken, strike "arising out of" and in lieu thereof insert "and as provided by", which precedes the word "legislative".

7. In Section 31 of the Standing Committee amendments shown on page 21, strike the figures "25,000.00" and "35,000.00", and also before each of said figures strike the words "not to exceed", inserted by two amendments to said section.

8. In Section 28 of the Standing Committee amendments, page 20, line 6, strike "22,500.00" and insert in lieu thereof "32,500.00"; and in line 11, strike "20,000.00" and insert in lieu thereof "10,000.00".

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 96. Mr. Greenamyre asked that his specific amendments, above set out, be adopted by unanimous consent.

No objection was offered. So ordered.

Referred to E and R for engrossment.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 79. With emergency clause.

A bill for an act relating to county officers and their deputies and employees; to provide that all fees received by any county officer, or any deputy or employee in his office, for taking acknowledgments, oaths and affirmations, must be reported to the county board and paid in to the county treasury; to provide penalties; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Raecke
Thomas
Thompson

Voting in the negative, 1: Sorrell.

Not voting, 12:

Conklin
Craven
Greenamyre
Heiliger
Hubka
Jeffords
Matzke
Peterson
Rakow
Reavis
Tvrdik
Weborg

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 335.

A bill for an act relating to boarding home for the aged and infirm; to define "boarding home for the aged and infirm"; to provide for the licensing and regulating of such homes by the Board of Control; to provide for establishing such rules as may be necessary to carry out the purpose of this act; to provide for a prescribed record to be kept, according to the prescribed form and manner, by the owner or manager of such home, the same to be open to the inspection herein provided for; and to provide for a penalty.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the blil pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Cullingham
Dooley
Doyle
Klaver
Lee
Matzke
Osborne
Peterson
Rakow

Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Foster
Gantz
Gutoski
Hanna
Heiliger
Jeppesen
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 2:

Asimus
Greenamyre

Not voting, 6:

Craven
Garber
Hubka
Jeffords
Raecke
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 400. With emergency clause.

A bill for an act relating to non-profit corporations; to enact a general corporation law for Nebraska relating to corporations, foreign and domestic, not organized for pecuniary profit; to define terms; to provide for their incorporation, operation, management, control, regulation, merger, consolidation, dissolution and for the renewal, extension or restoration of their corporate existence; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Craven	Hubka	Jeffords	Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 443	L. B. 299	L. B. 160	L. B. 101

LEGISLATIVE BILL 437. Replaced on Select File with amendments.

E and R amendments to L. B. 437:

1. In Select File amendment by Mr. Matzke, adopted May 24th, 1st line, before "Line 2" insert: "in Standing Committee amendment No. 1, inserted matter,"; last line, strike the period after "board" and before the quotation mark.

LEGISLATIVE BILL 295. Placed on Select File with amendments.

E and R amendments to L. B. 295:

1. In the bill, Section 1, page 2, line 4, strike the comma after "nursing" and in line 5 insert a comma after "personnel".

2. In the bill, Section 3, page 2, line 2, strike "population" and in lieu thereof insert "inhabitants,"; line 1, insert a comma after "county"; strike "such as" at the end of line 17; lines 20 and 21, strike "; and such" and in lieu thereof insert ". Such"; line 22, strike "state".

3. In the bill, Section 4, (shown as 3) page 3, line 1, after "board" insert "of such a county" and at the end of the line, after "to" insert "(a)"; line 3, strike "and to" and in lieu thereof insert "(b)"; line 6, strike "as may be necessary" and at the end of said line strike

", and" and in lieu thereof insert "and (c)"; line 18, insert a comma after "Municipalities" and in said line strike "counties," and in lieu thereof insert "such counties"; line 20 after "to" insert "(a)"; line 22, strike "and are authorized to" and in lieu thereof insert "(b)"; lines 24 and 25, strike "; and such municipalities are authorized to" and in lieu thereof insert "and"; line 28, strike ", as may be necessary".

4. In the bill, Section 5 (shown as 4) pages 3, 4, 5 and 6, line 1, before "When" insert "(1)"; line 2, strike "(1)" and after "board" insert "of such a county"; line 3, strike "state" and in said line strike "for" and in lieu thereof insert "of the State of Nebraska as"; insert "a" in line 4 after "appoint" and line 7 after "or"; lines 13 and 14, strike ", one" and in lieu thereof insert "and one of the two said"; line 14, strike "man or woman" and in lieu thereof insert "men or women" and in said line after "in" insert "the"; strike all of line 16 and "community" in line 17; line 17, strike ", and after" and in lieu thereof insert ". After"; line 21, strike "shall" and in said line after "of" insert "a"; line 23, strike the semicolon after "term" and in lieu thereof insert "of the member whose term is being filled by such appointment."; line 46, strike "by a city and the county board and city council" and in lieu thereof insert "When the county board of any such county and the city council of any city located therein"; line 47 insert a comma after "agreement" and strike the word "state"; line 48, insert a comma after "Health"; line 51, strike "for" and in lieu thereof insert "to be given in an endeavor to secure"; line 67, strike "; one-third of whom" and in lieu thereof insert ". One third of its members"; line 69, strike ", and after" and in lieu thereof insert ". After"; line 73, after "from" insert "the"; line 75, strike the period and in lieu thereof insert "of the member whose term is being filled by such appointment.".

5. In the bill, Section 6 (shown as 5), pages 6 and 7, line 5, strike ", and" and in lieu thereof insert "and,"; strike ", and by the" in line 6, all of line 7 and "may" in line 8, and in lieu thereof insert: ". It may elect such other officers, as it may deem necessary, and"; line 15, strike "state"; strike the comma in line 19 before "and", line 23 after "assistants", line 26 after "distribution"; line 23, strike "his"; strike "state" in lines 33, 34, 39, 43; line 34, after "laws" insert "of the State of Nebraska"; line 35, insert a comma after "health"; line 42, strike "as may be"; line 43, strike "may be".

6. In the bill, Section 7 (shown as 6) page 7, lines 2 and 3, strike ", and it shall be his duty" and in lieu thereof insert "and duty to"; line 2, after "have" insert "the"; strike "to" in line 3 after "(1),", line 4 after "(2)", line 9 after "(3)"; line 12 after "(4)"; line 6,

strike the comma after "clerks"; line 7, strike ". The staff" and in lieu thereof insert ", whose"; line 12, after the semicolon insert "and".

7. In the bill, Section 8 (shown as 7) page 8, line 2, insert a comma before "as"; line 6, strike the comma at the end of the line.

8. In Standing Committee amendment No. 1, in the inserted matter, line 1, strike "or group of counties" and insert, in lieu thereof, the following: "having a population of more than sixty thousand and less than two hundred thousand inhabitants"; 5th line, strike the comma after "nurses"; 7th line, strike "or district".

9. In Standing Committee amendment No. 2, 4th line, strike the comma after "federal".

10. In Standing Committee amendment No. 15, 1st line, strike "1 and 2" and in lieu thereof insert "3 and 4".

11. In Standing Committee amendment No. 28, 2nd line, before "the words" insert "at the end of the line".

12. In Standing Committee amendment No. 39, 2nd line, strike "department" and in lieu thereof insert "departments"; in amendment No. 41, 1st line, before "by" insert "line 2,".

13. In Standing Committee amendment No. 44, 2nd line, after the quotation mark and before "departments" insert "or district".

14. In Standing Committee amendment No. 45, inserted matter, 4th line, strike ", district". In Standing Committee amendment No. 49, 1st line, before "line" insert "newly inserted by Standing Committee amendment No. 1,".

15. In Standing Committee amendment No. 50, 2nd line, after the quotation mark and before "more" insert "a population of".

16. In Standing Committee amendment No. 52, 2nd line, after "17" and before the period, insert "and amendments thereto"; also in amendment No. 54 after "inclusive", insert ", and amendments thereto".

17. In Standing Committee amendment No. 56, 1st line, before "by" insert "line 1,".

18. Strike Standing Committee amendment No. 61 as same is covered by Standing Committee amendment No. 44. Strike Standing Committee amendment No. 48.

19. In the bill, title, page 1, 3rd line, after "counties" insert: "having a population of more than sixty thousand and less than two hundred thousand inhabitants"; 7th line, strike "or city and county" and in lieu thereof insert: "any such county and any city located therein"; 12th line, strike "organization; and" and in lieu thereof insert: "the organization and the powers and duties of such health departments and certain of the within provided for officers, health directors and employees;" ; 13th line, strike the period and in lieu thereof insert "; and to declare an emergency.".

LEGISLATIVE BILL 176. Correctly engrossed.

(Signed) James H. Anderson, Chairman

MOTION—To Suspend Rules

Mr. James H. Anderson moved that the rules be suspended and L. B. 295 be considered on Select File at once.

The motion prevailed with 30 ayes, no nays, 13 not voting.

SELECT FILE (Continued)

LEGISLATIVE BILL 437. E and R amendments, found in this day's Journal, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 295. E and R amendments, found in this day's Journal, were adopted.

Mr. Garber offered the following amendment and asked that it be adopted by unanimous consent:

Amend page 2, Section 2, line 7, as follows: After the period at end of line 7 add the following words: "Provided, however, that said Department of Health proposition has been submitted to the people of said county, or each of said counties, and carried at a general election as provided in Sections 26-110, 26-111, 26-112, 26-113 and 26-114, Compiled Statutes of Nebraska, 1929.

Objection was offered by Mr. Peterson.

Mr. Garber moved to refer the bill to General File for the specific amendment.

The motion was lost with 12 ayes, 16 nays, 15 not voting.

Referred to E and R for engrossment.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 443 L. B. 160 L. B. 299 L. B. 101

Statement for the Journal

Mr. President: Had I been present, I would have voted "aye" on L. B. 299, L. B. 160, L. B. 101, L. B. 443, L. B. 71, L. B. 236, L. B. 436, and L. B. 79.

(Signed) Greenamyre

Proposed Amendments to the Rules

Mr. Doyle proposed the following amendment to the rules:

1. Amend Rule XII, section 3, line 3 by adding after the word "Governor", the following: "or upon recommendation of a standing committee with the approval of a majority of the elected members of the Legislature" .

Mr. Mekota proposed the following amendment to the rules:

Amend Section 9 as follows:

Strike all of said section after the word "postponed", and insert in lieu thereof the following: "; Provided, that such bill may be placed on general file by a majority vote of all the elected members upon motion made within five days after the committee makes its report to the Legislature."

Referred to the Committee on Rules.

Adjournment

At 5:50 p.m. Mr. Foster moved to adjourn.

The motion was lost.

At 5:51 p.m. Mr. Mekota moved to recess until 5:52 p.m.

The motion was lost.

At 5:53 p.m. on motion by Mr. Gantz, the Legislature adjourned until 10:00 a.m. Tuesday, May 25, 1943.

Hugo F. Srb
Clerk of the Legislature.

ONE-HUNDREDTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, May 25, 1943.

Pursuant to adjournment, the Legislature met at 10:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow.

The Journal for the Ninety-ninth Day was approved as corrected.

Presented to the Governor for Approval

Tuesday, May 25, 1943, at 9:45 a. m.

L. B. 101 L. B. 160 L. B. 299 L. B. 443

Approved by the Governor

May 24, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 244 L. B. 285 L. B. 328 L. B. 339
L. B. 353 L. B. 364 L. B. 413 L. B. 414

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

Message from the Governor

VETO—Legislative Bill 247

May 24, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I am returning without my approval Legislative Bill 247.

This bill is intended to serve a worthy purpose, but the best legal advice I have had in regard to it has convinced me that it is not constitutional. It would serve as an amendment to the indeterminate sentence law without referring to the section amended. Even if not unconstitutional, it might also change the provisions of that act so that it would not carry out its intended purpose.

I am, therefore, vetoing this bill with the suggestion that if it is your desire to have heavier penalties for criminals convicted more than once, further study be given the matter before the next legislative session.

Respectfully submitted,
(Signed) Dwight Griswold,
Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 332
L. B. 280
L. B. 431
L. B. 229
L. B. 123
L. B. 195

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Resolution 39

RESOLUTIONS

LEGISLATIVE RESOLUTION 40. Legislative Council, Quarters

Introduced by Stanley A. Matzke of Seward

BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA STATE LEGISLATURE:

1. That the custodian of the state capitol of the State of Nebraska be directed to forthwith assign and set aside for the use of the Nebraska Legislative Council for its work ad interim definite quarters in the state capitol known as rooms 1104, 1104a, 1106 and 1108, and rooms 2028 and 2301 for the use of the press until further order of the Legislature.

2. That the custodian of the state capitol be directed to assign rooms 1110 and 1112 to the Legislative Council for the use of the bill drafting service for the period beginning December 1, 1944 and extending through the Legislative session of 1945.

3. That the legislative custodian be directed to equip such quarters so assigned to Council with legislative furniture and equipment, as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; and that said legislative custodian be charged with the duty of furnishing the quarters so assigned to Council with regular and proper janitor service after this Legislature shall have adjourned, until further order of the Legislature, as other legislative rooms and quarters are kept and maintained.

4. That copies of this resolution be forthwith delivered by the clerk of this Legislature to the custodian of the state capitol and to the legislative custodian after the same shall have been spread at large upon the Legislative Journal.

Mr. Matzke moved to suspend the rules and adopt the resolution.

The motion prevailed with 34 ayes, no nays, 9 not voting.

LEGISLATIVE RESOLUTION 41. Legislative Custodian

Introduced by Stanley A. Matzke of Seward

BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. The Clerk of the Legislature is hereby designated as Legislative Custodian of legislative property and quarters from the effective date of this resolution until further order of the Legislature and as such custodian shall perform the following duties: a. Equip quarters assigned to the Legislative Council with legislative furniture and equipment as directed by said Council adequate and sufficient for the purpose of carrying on the work of said Council in an efficient manner; b. furnish the quarters assigned to said Council with regular and proper janitor services as well as all other rooms and quarters definitely assigned to the Legislature; c. have complete control of all furniture and equipment in the legislative quarters so assigned; d. make or cause to be made, under the direction of the Legislative Council, an inventory of all property, including furniture and equipment assigned to or belonging to the Legislature of the State of Nebraska, and, in connection with making said inventory the said clerk shall be empowered to recover, recapture and take possession of any property of the Legislature wherever the same may be; and the Clerk of the Legislature shall keep in his office in a book provided for that purpose a complete record of said inventory which shall contain an itemized account of all legislative property, together with a description of each item of property under his care and control, together with the location of the same; e. at the time of making said inventory to cause to be indelibly tagged, marked or stamped on all such property, furniture or equipment belonging to the Legislature the following: "Property of Legislature of Nebraska"; f. to make verified report covering all things done, pursuant to this resolution, to the Legislative Council on or before January 1, 1944 and on the first day of January in 1945, which report shall be included in the report which the Legislative Council shall make to the next regular session of the Nebraska State Legislature; g. state positively in said verified report that each item of legislative property, equipment and furniture has been tagged, marked or stamped and to cause all other property hereafter acquired for legislative purposes to be so tagged, marked or stamped and notation thereof should be made in said inventory which shall be kept current.

Mr. Matzke moved to suspend the rules and adopt the resolution at once.

The motion prevailed with 30 ayes, no nays, 13 not voting.

REQUEST—For Unanimous Consent

Mr. Peterson asked that unanimous consent be granted to return L. B. 295 to Select File for consideration of the following specific amendment:

Strike Committee amendment No. 48 and require a referendum on the establishment of health units in counties below sixty thousand inhabitants.

No objection was offered. So ordered.

SELECT FILE

LEGISLATIVE BILL 295. Mr. Peterson moved that his specific amendment, above set out, be voted upon to get an expression of opinion.

The motion prevailed with 26 ayes, no nays, 17 not voting.

Mr. Jeffords offered an amendment to Section 5 and asked that it be adopted by unanimous consent.

Objections were offered by Mr. Peterson.

Mr. Jeffords moved that the amendment be adopted.

The motion was lost with 6 ayes, 16 nays, 21 not voting.

Mr. Peterson requested that the bill be laid over until his amendment be prepared.

So ordered.

Proposed Amendments to Rules

Mr. Mischke proposed the following amendments to the Rules of the Legislature:

1. In rule 3, Sec. 1, strike "Assistant Clerk" - "Doorkeeper" - "Assistant Sergeant-at-arms".

2. Amend Rule 3, Sec. 8, to read as follows:

"The Assistant Clerk, appointed by the Committee on Legislative Administration, and approved by the Legislature, shall, in the absence of the clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature."

3. Amend Rule 3, Sec. 10, to read as follows:

"The Assistant Sergeant-at-arms, appointed by the Committee on Legislative Administration, and approved by the Legislature, shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms."

Amend Rule 6 by adding a new section thereto as follows:

A committee on order and arrangement shall consist of the chairmen of the committees before whom regularly referred bills and resolutions have public hearing. It shall be the duty of this committee to establish and maintain the order of the bills as they shall be considered on general file. The committee has the power to change the order at any time when in their opinion pending legislation so warrants.

Mr. Lee proposed the following amendment to the Rules:

Amend Sec. 8 of Rule 7 as follows: Strike the period at the end of the last line in said section 8 and add ", provided, however, that no member of such standing committee shall be present at the executive session to consider or vote on a bill introduced or sponsored by such member".

Referred to the Committee on Rules.

BILLS ON THIRD READING

Mr. Weborg moved that L. B. 286 be returned to Seelect File for an amendment to Section 3.

The motion was lost with 12 ayes, 20 nays, 11 not voting.

The following bill was read the third time and put upon passage:

LEGISLATIVE BILL 286. With emergency clause.

A bill for an act relating to public power districts, public power and irrigation districts and public irrigation districts and their organization, dissolution, government, management, operation, rights, powers, duties and obligations; to amend sections 70-704, 70-705, 70-706, 70-710, 70-711, 70-712 and 70-716, C. S. Supp., 1941; to state a savings clause; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mischke
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Thompson
Tvrdik

Voting in the negative, 10:

Asimus
Carmody
Craven
Doyle
Garber
Jeppesen
Osborne
Sorrell
Thomas
Weborg

Not voting, 3:

Mekota
Mueller
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for the Journal

Mr. President: I vote "no" on L. B. 286 as a protest against the vote trading that has been so prevalent on power legislation and water diversion at this session of the Legislature, and furthermore, I disapprove of the unlimited salary provision.

(Signed) Sorrell

Approved by the Governor

May 25, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 50
L. B. 101
L. B. 299
L. B. 309
L. B. 352
L. B. 394
L. B. 443

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

Recess

At 12:05 p. m. on motion by Mr. Foster, the Legislature recessed until 2:00 p. m.

After Recess

The Legislature reconvened at 2:00 p. m. President Johnson presiding.

The roll was called and all members were present except Mr. Rakow.

Visitor

Mr. Gantz introduced Congressman A. L. Miller, a former member, who addressed the Legislature briefly.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 204
L. B. 236
L. B. 205
L. B. 79
L. B. 335
L. B. 400
L. B. 436

LEGISLATIVE BILL 296. Correctly engrossed.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 204
L. B. 236
L. B. 205
L. B. 79
L. B. 335
L. B. 400
L. B. 436

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 424. With emergency clause.

A bill for an act relating to public health and welfare; to provide for the regulation of the business of boarding and care of children; to define terms; to require as a condition to engaging in such business that a license be obtained from the Board of Control; to provide that the Board of Control shall prescribe the form of, issue and cancel such license, and prescribe rules and regulations for the conduct of such business; to provide that this act shall be in effect until March 1, 1945, when it shall expire by its own limitations; to prescribe penalties; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 22:

Anderson, James H.
Brodahl
Conklin
Crosby
Cullingham
Dooley
Foster
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Matzke
Mekota
Norman
Ogden
Peterson
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 12:

Asimus
Bowman
Carmody
Doyle
Gantz
Greenamyre
Gutoski
Jeffords
Mischke
Mueller
Osborne
Raecke

Not voting, 9:

Anderson, D. S.
Burnham
Craven
Crossland
Garber
Lee
Neubauer
Rakow
Thompson

A constitutional two-thirds majority having failed to vote in the affirmative, the bill failed of passage with the emergency clause attached.

Vote on L. B. 424 With Emergency Clause Stricken

Voting in the affirmative, 22:

Anderson, James H.
Brodahl
Conklin
Crosby
Cullingham
Dooley
Foster
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Matzke
Mekota
Norman
Ogden
Peterson
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 12:

Asimus
Bowman
Carmody
Doyle
Gantz
Greenamyre
Gutoski
Jeffords
Mischke
Mueller
Osborne
Raecke

Not voting, 9:

Anderson, D. S.
Burnham
Craven
Crossland
Garber
Lee
Neubauer
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken and the title agreed to.

Member Excused

Mr. James H. Anderson was excused for the remainder of the afternoon.

LEGISLATIVE BILL 261.

A bill for an act to amend section 14-1015, C. S. Supp., 1941, relating to the powers of metropolitan water and metropolitan utilities districts; to empower the board of directors of such districts to provide benefits for, insurance of and annuities for present and future appointees and employees covering accident, disease, death, total and permanent disability or retirement, all or any of them, under plans and conditions determined by the board from time to time; to empower such board of directors to establish and maintain reserves and funds and provide for costs and insurance premiums for the foregoing purposes and to adopt plans for beneficiaries' contributions; to provide limits of retirement income for such retired and disabled employees and appointees; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Asimus
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 8:

Anderson, D. S.
Anderson, James H.
Carmody
Craven
Jeffords
Osborne
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 418. With emergency clause.

A bill for an act to amend section 2-1712, 2-1718 and 2-1721, C. S. Supp., 1941, relating to agriculture; to provide that townships may put into effect a plan or plans for the control and eradication of noxious weeds; to provide that the governing body of any county, township, city, village, or other governmental or political subdivision of the state, or public corporation, having the power to levy taxes, shall have the specific power to levy and collect taxes for the purpose of eradicating noxious weeds; to prohibit the removal of objects or materials which contain or are impregnated with noxious weeds; to provide penalties; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions or law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 36:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Heiliger
Hubka
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, D. S.
Anderson, James H.
Hanna
Jeffords
Lee
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 95. With emergency clause.

A bill for an act to provide for the payment of the salaries of the officers of the Nebraska state government for the biennium ending June, 30, 1945; to prescribe conditions for payment thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Anderson, D. S.
Anderson, James H.
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 337. With emergency clause.

A bill for an act relating to paving or otherwise improving streets or the construction or improvement of a waterworks system or storm or sanitary sewers in cities of the first and second class and villages; to provide, under the prescribed conditions, for the acceptance of work that has been completed, the levy of special assessments and taxes and the issuance of bonds to pay the cost thereof; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting 4:

Anderson, James H.
Osborne
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION—To Suspend Rules

Mr. Crosby moved that the rules be suspended and that Legislative Bills numbered 419, 435, 415, 372, 153, and 214 be read and voted on immediately.

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 419. Read and passed over at suggestion of Mr. Raecke.

LEGISLATIVE BILL 435. With emergency clause.

A bill for an act to amend sections 79-212 and 79-2523, C. S. Supp., 1941, relating to schools; to increase, during the fiscal years ending June 30, 1944 and June 30, 1945, to twenty-two mills the aggregate school tax that may be levied by school districts of the classes therein set out; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 1: Sorrell

Not voting, 8:

Anderson, James H.
Asimus
Carmody
Craven
Garber
Norman
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 415. With emergency clause.

A bill for an act relating to the leasing of school and public lands belonging to the state and under its control for oil, gas, hydrocarbons and all other petroleum products; to authorize the Board of Educational Lands and Funds to make such leases and to promulgate rules and regulations in regard thereto; to authorize such board to enter into agreements for the pooling of acreage covered by such leases with other acreage; to amend sections 72-301, 72-302, 72-304, 72-306 and 72-308, Compiled Statutes of Nebraska, 1929; to repeal the original sections above mentioned and all other acts or parts of acts in conflict herewith; to state a savings clause; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 36:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 7:

Anderson, James H.
Craven
Cullingham
Dooley
Osborne
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—For Unanimous Consent

Mr. Peterson asked that unanimous consent be granted to revert to Select File to consider L. B. 295.

No objection was offered. So ordered.

SELECT FILE

Speaker Crosby Presiding

LEGISLATIVE BILL 295. Mr. Peterson offered the following amendments and asked that they be adopted by unanimous consent:

1. Strike all of Standing Committee amendments 48 to 63, inclusive, and restore the matter in the original bill changed by said amendments.

2. Strike all of Enrollment and Review amendments 8, 14, 15, 16, 17 and 18, and strike from Enrollment and Review amendment 19, the following:

"3rd line, after "counties" insert: "having a population of more than sixty thousand and less than two hundred thousand inhabitants"; 7th line, strike "or city and county" and in lieu thereof insert: "any such county and any city located therein";".

3. Strike the Crosby amendment appearing on page 1538 of the Journal of May 20, 1943.

4. Amend Standing Committee amendment 1, by striking the period after the word "department" appearing at the end of the amendment, inserting a semicolon in lieu thereof, and adding:

"Provided, however, any county having a population of less than sixty thousand inhabitants shall not establish a county health department, or be a part of a district health department, unless the agreement whereby such county or district health department is provided for shall be approved by a majority of the legal voters of the county or proposed district voting upon the ratification and approval of such agreement, as hereinafter provided."

5. Amend page 3 of the bill, section 3, line 22, by inserting after the punctuation at the end of said line the following additional matter:

"No such agreement shall be final and binding upon any county having a population of less than sixty thousand inhabitants unless and until a regular or special election, as herein provided, has been held as a referendum thereon in the county where the county health department, or in the counties where the district health department, is sought to be established, and a majority of all the qualified electors voting thereon shall vote in favor of the ratification and approval of such agreement. The proposed agreement shall be submitted to the electors of the county or district in which it is sought to establish such county or district health department at a special election to be called for that purpose by the county commissioners of the county or counties participating in such agreement, or at a general election, to be held not less than thirty nor more than ninety days after the approval of such agreement by the Department of Health. The election shall be called, proclaimed, held, conducted and canvassed after the manner of general or special elections held for submission of propositions to the voters of a county as provided in section 26-110 and 26-112, Compiled Statutes of Nebraska, 1929. The proposition to be submitted to the electors shall be stated on the ballot substantially as follows:

"Shall the agreement for the establishment of a county (or district) health department, which agreement is on file in the office of the county clerk of .... county, Nebraska, be ratified and approved?

Yes .... ☐

No .... ☐"

A county or district health department established under this act may be terminated by a majority vote of the legal electors of such county or district voting upon the proposition. The question of such termination shall be submitted to the electors whenever all governing boards of the contracting agencies shall, by resolution, agree to submit the question, or whenever a petition requesting the submission of such questions signed by qualified electors in number not less than twenty-five per cent of all the votes cast for Governor in the last general election in the county, if a county health department, or in each of the counties comprising the district if a district health department, shall be filed with the county clerk or county clerks of such county or counties."

6. Amend page 8 of the bill, section 9, line 4, by inserting after the word "departments" the following: ", except established city or county hospitals".

7. Amend page 1 of the bill, line 5 of the title, by inserting after the punctuation following the word "therein" the following: "to provide for ratification and approval of agreements establishing health departments in counties having less than sixty thousand inhabitants by a vote of the electors; to provide for termination of health departments established under this act by a vote of the electors;".

No objection was offered. So ordered.

Referred to E and R for engrossment.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 372. With emergency clause.

A bill for an act to amend sections 66-437, and 66-442 C. S. Supp., 1941, relating to motor vehicle fuels; to provide, until March 1, 1945, for a refund of the tax on motor vehicle fuels when gasoline or raw gasoline, untreated and unleaded, is used as an enriching agent in the manufacture of manufactured gas; to provide for regulations for such refund; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Anderson, James H.
Klaver
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

REQUEST—For Unanimous Consent

Mr. Reavis asked that unanimous consent be granted to refer L. B. 153 to Select File for the following specific amendments:

Strike the following from Section 21: all of lines 6 to 34, inclusive.

Section 21, line 1, insert the word "wilfully" after the word "employee".

Amend the title to conform.

No objection was offered. So ordered.

SELECT FILE (Continued)

LEGISLATIVE BILL 153. Mr. Reavis moved that his specific amendment, above set out, be adopted.

The motion prevailed with 26 ayes, 1 nay, 16 not voting.

Mr. Raecke offered the following amendment, which was adopted by unanimous consent:

Amend Section 21, line 4, by striking the words "one hundred" and inserting in lieu thereof the word "ten".

Mr. Gantz offered the following amendments, which were adopted by unanimous consent:

Amend Sec. 17, page 7, line 3, as follows:

1. Strike the word "or" after the word "accidents" and insert in lieu thereof a comma.

2. Insert after the word "emergencies" the punctuation and words: ", unexpected rises in costs, or extension of municipal utilities becoming necessary,".

Referred to E and R for engrossment.

Approved by the Governor

May 25, 1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 139
L. B. 160
L. B. 184
L. B. 293
L. B. 329

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

Message from the Governor

Permanent School Fund

May 25, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

Acting in compliance with instructions given by the Board of Educational Lands and Funds at a meeting held May 24, 1943, we wish to submit the following report showing the present status of the Permanent School Fund resulting from certain actions taken by said Board since the passage and adoption of L. B. 97 under date of March 30, 1943:

The State of Nebraska holds in its various funds the following bonds:

Government bonds	$ 7,753,300.00
Nebraska State subdivision bonds.......	$ 6,693,108.32
Total	$14,446,408.32

An audit made by the State Auditor's office, showing a loss of $685,566.83 to the Permanent School Fund over the period January 1, 1869 to June 30, 1939, was submitted to the present Legislature under date of January 6, 1943. This loss was definitely recognized by the passage of L. B. 147. Subsequent to the passage of this bill, L. B. 85 was passed which legalized an error in bookkeeping and reduced the recognized loss to $503,929.10.

As the result of an exchange of tax free Government bonds for taxable bonds, the sum of $207,997.50 has been credited to the capital gain account; also the sum of $50,956.72 has been credited to the capital gain account by reason of the results of a sale of other bonds held May 3, 1943. This makes a total capital gain of $258,954.22 which has been credited to the Permanent School Fund to offset past losses. After crediting this amount there still remains the sum of $244,974.88 to be recovered.

At a meeting of the Board of Educational Lands and Funds held May 24, 1943, the following Resolution was adopted:

> "Moved by Wayne O. Reed, seconded by Frank Marsh that the Board of Educational Lands and Funds recommend to the Legislature that inasmuch as no payments of principal have been made on the North River Irrigation District bonds held by the State of Nebraska since the original purchase of same more than twenty years ago; and since no payment of interest has been made since July 25, 1939, that the principal investment of the same in the sum of $145,000 be considered as a capital loss and that such charge be made upon the records of the State Treasurer and the records of the Board of Educational Lands and Funds; that any future collections made on this issue be considered as a capital gain and credited to the Permanent School Fund."
>
> Motion unanimously carried.

The recognition of the foregoing recommendation by the present Legislature would tend to increase the total loss to be recovered to the sum of $389,974.88.

In addition to the foregoing report we wish to state that Hugh Dillon, State Surveyor, has recently reported that all Nebraska State school land has now been classified, mapped and reappraised in conformity with Section 72-204, CSN Supplement 1939. This is the first time in history that all school land has been classified, mapped and reappraised and we take great pleasure in being able to make such a report.

Respectfully submitted,
Board of Educational Lands and Funds
By Dwight Griswold, Chairman

STANDING COMMITTEE REPORTS

Committee on Rules

Mr. President: Your Committee on Rules recommends the following amendments to the Rules of the Legislature:

1. Amend rule 3, Sec. 1, by striking "Assistant Clerk" - "Doorkeeper" - "Assistant Sergeant-at-arms".

2. Amend Rule 3, Sec. 8, to read as follows:

"The Assistant Clerk, appointed by the Committee on Legislative Administration, and approved by the Legislature, shall, in the absence of the clerk, be authorized to exercise all of the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature."

3. Amend Rule 3, Sec. 10, to read as follows:

"The Assistant Sergeant-at-arms, appointed by the Committee on Legislative Administration, and approved by the Legislature, shall assist the Sergeant-at-arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant-at-arms."

4. Amend Rule 6 by adding a new section thereto as follows:

A committee on order and arrangement shall consist of the chairman of the committees before whom regularly referred bills and resolutions have public hearing. It shall be the duty of this committee to report to the Legislature the order in which bills and resolutions shall be considered on general file. The order so reported shall become effective only upon approval by the Legislature.

5. Amend Section 9 as follows:

Strike all of said section after the word "postponed", and insert in lieu thereof the following: "; Provided, that such bill may be placed on general file by a majority vote of all the elected members upon motion made within five days after the committee makes its report to the Legislature."

6. Amend Rule 16, Sec. 1, by adding the following:

"No resolution shall be introduced bearing the names of more than three members, but the names of additional introducers may be added by consent of the Legislature.

The following rules were considered, but the committee did not see fit to recommend them to the Legislature:

1. Amend Rule XII, section 3, line 3 by adding after the word

"Governor", the following: "or upon recommendation of a standing committee with the approval of a majority of the elected members of the Legislature". By Doyle.

2. Amend Sec. 8 or Rule 7 as follows: Strike the period at the end of the last line in said section 8 and add ", provided, however, that no member of such standing committee shall be present at the executive session to consider or vote on a bill introduced or sponsored by such member". By Lee.

(Signed) Sorrell, Chairman

Mr. Mischke moved the adoption of amendments 1, 2 and 3, above set out.

The motion prevailed with 29 ayes, 1 nay, 13 not voting.

Mr. Mischke moved the adoption of amendment 4, above set out.

Mr. Mischke moved a call of the House.

A call of the House was ordered.

Thirty-two members were present.

Mr. Sorrell moved to raise the call.

The motion prevailed with 28 ayes, no nays, 15 not voting.

Amendment No. 4 was adopted with 27 ayes, 3 nays, 13 not voting.

Mr. Mekota offered the following amendment to amendment 4, above set out:

Amend No. 4 by adding the following:

The Committee shall recommend for consideration on general file without committee hearings, bills which by unanimous vote of the committee are considered non-controversial. Any bill so recommended shall be given a public hearing upon request of any member made within five days after the committee recommendation to the Legislature.

Mr. Mekota moved a call of the House.

A call of the House was ordered.

Thirty-seven members were present.

Mr. Sorrell moved to raise the call.

The motion prevailed with 26 ayes, no nays, 17 not voting.

The Mekota amendment was lost with 19 ayes, 7 nays, 17 not voting.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 96 L. B. 230 L. B. 327 L. B. 43
L. B. 287

LEGISLATIVE BILL 206. Correctly enrolled.

(Signed) James H. Anderson, Chairman

Speaker Signs

While the Legislature was in session and capable of transacting business, the Speaker signed:

Legislative Bill 206

Members Excused

Mr. Crossland was excused until mid-afternoon on Wednesday.

Mr. Craven was excused for Wednesday.

Adjournment

At 5:20 p. m. on motion by Mr. Sorrell the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

ONE-HUNDRED FIRST DAY

Legislative Chamber, Lincoln, Nebraska

Wednesday, May 26, 1943

Pursuant to adjournment, the Legislature met at 9:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Craven and Crossland, who were excused.

The Journal for the One-hundredth Day was approved as corrected.

SELECT COMMITTEE REPORTS.

Investigation of Highways—L. R. 31

Your committee appointed by the president of the Legislature pursuant to Legislative Resolution No. 31, adopted May 4th, 1943, to investigate the highways of Nebraska, met at 8 o'clock P. M. in the capitol, on call of the chairman and after public notice thereof had been given for five days, with all members present: Gantz, chairman, Garber, Osborne, Hanna. Senators Conklin, Asimus and Weborg were also present, as well as State Engineer Wardner Scott and members of his staff, and Mr. Lloyd C. Thomas, of Kearney.

Various witnesses were called, and evidence received from Mr. Thomas, Senators Conklin and Weborg, and State Engineer Wardner Scott and several members of his staff, and the matters in connection with the condition of Nebraska Highways were fully discussed, and as a result thereof, your committee begs leave to report as follows:

1. On certain sections of bituminous roads there are bad conditions existing where the roads are rough, sometimes rutted, with un-

stable shoulders and cracking in some places entirely across the bituminous highway section. Such condition does not exist the full length of any bituminous highway, but appears in certain and separate sections thereof. Such condition is in the opinion of your committee caused in part by heavy and unusual truck operations, traffic and speed thereon, and in part as the natural consequence during and following a winter season. That the condition of such highways in some sections is such as to endanger life and property in the use of such highways. That these highways need immediate repair.

2. That on January 1st, 1943, there were 2645 miles of bituminous roads on the state highway system of Nebraska, divided into the general following classifications, showing approximate cost of construction of each:

	Miles	Per Cent	Cost per mile
1. Surface treatment	178	6.7	$ 1,100.00—$ 1,500.00
2. Surface treatment on clay-gravel base	932	35.2	3,500.00— 7,000.00
3. Surface treatment on special base	183	6.9	7,000.00— 15,000.00
4. Bituminous mat	768	29.1	4,000.00— 7,000.00
5. Bituminous mat on clay-gravel base	264	10.0	7,000.00— 12,000.00
6. Bituminous mat on special base	15	0.6	9,000.00— 20,000.00
7. Bituminous sands	278	10.5	7,000.00— 10,000.00
8. Unclassified re-construction sections	27	1.0	

3. That the cost of construction of bituminous roads of any one of the above classifications is dependent upon several factors, among which are the following: width of the various elements of the surfacing, thickness of bituminous mat or surface treatment, depth and type of base course, costs of asphalt, tar, aggregates, and other materials at site of work, and the general level of construction costs

at time that the surfacing is constructed. That the cost of maintenance of the various types of bituminous surfaced roads will vary greatly in various sections, depending largely on the type of construction considering the volume of traffic over such a surface and the weather conditions existing during the use of the surface.

4. That shortage of man-power and equipment, due to war conditions, seems to be a large contributing factor in the highways not being kept to 100 per cent condition. The federal government has refused to authorize new construction except in cases of emergency, and it has only been within the past few months that highway work has been placed on the essential list as determined by the War Manpower Commission. Employees are leaving the service every day to enter the military forces, or accept employment in other positions, and the department has been unable to keep adequate forces in various sections of the state with which to make necessary highway repairs. The state engineer stated that he believed that he would be able to obtain and retain sufficient force with which to do repair work from this time on in view of the fact that many men until now employed in defense construction work are now being released for other employment. That on March 15, 1943, the War Production Board issued an order granting authority for approval of construction of projects involving a cost of not to exceed $100,000.00.

That many bituminous highways have taken loads far in excess of the statutory limitations, while other roads and even parts of the same highway, have not. That both gravel and bituminous highways are difficult to maintain at the present time; that the cost per mile for surface maintenance of gravel roads is approximately $225.00, per year, bituminous highways about $80.00 per mile, and concrete highways about $53.00 per mile. Mr. Scott stated that he believed it essential to maintain the roads in order to preserve a high per cent of condition, as well as to protect the investment, and that is what he had been trying to do since he became state engineer.

That at present all construction costs of highways are borne entirely by the state and federal government matching for such purpose is not available; that all costs for repairs is borne by the state as in the past, except that for damage done by military forces the federal government will reimburse the state.

5. The committee expresses appreciation for the co-operation and assistance rendered it by Mr. Scott and his staff. The committee also believes that Mr. Scott fully realizes the seriousness of the condition of the bituminous highways in the state, and the importance of having them repaired at the earliest possible date, and will place

these roads in proper repair as soon as possible. He thought that this could be done within the next 60 days, and that he will do his best to keep same in proper condition thereafter.

6. That it has been the policy of the highway department for many years, since the adoption of a longtime highway planning program, to plan construction of bituminous highways in such a manner as to lay the first or thin course the first year and follow the second year with the second or armor course. The first course results in getting people "out of the dust" so to speak, and provides comfortable riding, but such a constructed highway is not adequate for heavy traffic, especially such truck traffic as has come into use during the past few years. There has been a demand from citizens for bituminous surfaced highways all over the state. That instead of going ahead and laying the second or armor course on such highways succeeding years and thus complete the highway for all kinds of traffic, the highway department has for many years attempted to meet these demands and has laid additional miles of first year course, but has been unable to lay the second or armor course on a large percentage of such highways. The result is that in many sections of the state most of the bituminous highways are only one course roads, and are entirely unsuitable for the heavy traffic using them; and which highways are costly to maintain. That if the highway department had been able to follow out its original policy of putting the second or armor course on such highway the second year, Nebraska would not have such a large number of miles of oil surface roads at this time, and a great deal of the state would still be graveled roads, but the bituminous highways would be better highways and less expensive to maintain as the one-course roads.

The committee recognizes that this policy has been a matter of political expedience, to meet the demands of the people of the state for surfaced roads, and that every section of the state has been the recipient of such one-course highways, which has resulted in dustless and easy riding highways over a great part of Nebraska, but the committee questions the wisdom of continuing this policy in future construction in view of the fact that the cost of maintenance of a one-course bituminous highway is more than costs of maintenance of a highway having the second or armor course. Mr. Scott stated that he has tried and will continue to try to carry out the present plan of the highway department in laying the first course one year and then follow it the next year with the second or armor course.

7. Incidentally, the wage scale of highway employees does not appear to be as high as that of adjoining states, but the wages paid are apparently reasonable.

8. That the state highway department does not own adequate equipment to carry on extensive road repair or construction work. It has been the policy of the department to rent such equipment from contractors and others, to avoid a large investment in such equipment, and it appears that in such policy it has been less expensive for the state. Such equipment under present war conditions cannot be purchased. However, many contractors with proper equipment are being released from other defense work and their equipment will no doubt be available to the state very soon. Whether the policy of the state highway department in not purchasing and owning adequate and proper equipment is wise or unwise is a question for debate, as there are two sides to the question. It is a matter, however, that should be seriously considered by the department, to insure expediency in highway construction and repairs.

Recommendations

In view of the fact that the highway department is proceeding to make the necessary repairs as rapidly as possible, your committee does not believe any recommendations are necessary or appropriate.

The committee requests that this report be published in the journal; that copy of statement made by Mr. Scott to the committee and transcript of testimony presented to the committee, be filed in the office of the Clerk of the Legislature; that a copy of this report, certified by the Clerk, be sent to Mr. Wardner Scott, State Engineer, for his information.

Dated May 20, 1943.

(Signed) Gantz, Osborne, Garber, Hanna,
Committee.

Mr. Gantz moved that the report be adopted.

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Wednesday, May 26, 1943, at 9:00 a. m.

L. B. 79 L. B. 204 L. B. 205 L. B. 206
L. B. 236 L. B. 335 L. B. 400 L. B. 436

LEGISLATIVE BILL 248. Replaced on Select File with amendments.

E and R amendments to L. B. 248:

1. In Enrollment and Review Committee amendment No. 3, 6th line, strike "2nd line, strike "by appointment" and in lieu thereof insert ","; "; 7th and 8th lines, strike "and after "filled" insert **"by appointment," ".**

2. In section 2 page 6 line 5 strike "now existing" and the comma inserted after same in E & R committee amendment 5 and in lieu thereof insert "now existing".

3. In E & R Committee amendment to section 2 page 6 line 27, in the newly inserted matter, strike " and " before "subject" and in lieu thereof insert "and".

4. In the title, 6th line, and in section 2, page 6, lines 7 and 8, strike the comma after the words "operation of" .

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 248. E and R amendments, above set out, were adopted.

Referred to E and R for engrossment.

MOTION—Permanent School Fund

Mr. President: I move that the Legislature approve the recommendation of the Board of Educational Lands and Funds to the effect that the North River Irrigation District bonds amounting to $145,000.00 be considered as a capital loss and that the records of the State be changed accordingly.

(Signed) Garber

The motion prevailed with 21 ayes, 5 nays, 17 not voting.

LEGISLATIVE COUNCIL—Nominations

Mr. President: We hereby report the nomination and move the approval of the following legislators as members of the Legislative Council from their respective Congressional Districts, to wit:

First Congressional District

C. Petrus Peterson, John E. Mekota, Earl M. Neubauer, Daniel Garber

Second Congressional District

Sam Klaver, Charles F. Tvrdik, Cliff N. Ogden, Sidney J. Cullingham

Third Congressional District

A. J. Brodahl, Martin J. Mischke, Walter R. Raecke, Stanley A. Matzke

Fourth Congressional District

James H. Anderson, Don E. Hanna, John F. Doyle, Robert B. Crosby

(Signed) Garber, Chairman, First District,
Klaver, Chairman, Second District,
Weborg, Chairman, Third District,
Crosby, Chairman, Fourth District.

The nominations were approved with 35 ayes, 1 nay, 7 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 214.

A bill for an act to amend sections 60-1003, 60-1006, 60-1007, 60-1009, 60-1011, 60-1013, 60-1014, 60-1015, 60-1016 and 60-325, C. S. Supp., 1941, relating to certificates of title to and registration and license of motor vehicles; to provide forms for and the manner and method of issuance of certificates of title to motor vehicles; to provide for the manner of discharge of liens upon motor vehicles; to provide the fees for issuance of certificate of title and copies thereof; to provide the amount of fees to be received by county treasurers for each registration of motor vehicles; to provide penalties; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Rakow
Sorrell
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 8:

Anderson, James H.
Craven
Crossland
Cullingham
Matzke
Osborne
Reavis
Thomas

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended, and that L. B. 225, 440, 72, 176 be considered on third reading for final passage at this time.

(Signed) Crosby.

The motion prevailed with 32 ayes, no nays, 11 not voting.

LEGISLATIVE BILL 225.

A bill for an act relating to county high schools; to provide for the discontinuance and dissolution of a county high school organized under Article 10, Chapter 79, Compiled Statutes of Nebraska, 1929; to provide the procedure therefor; to provide for the winding up of the affairs of such a district after discontinuance and dissolution has been voted; to except such districts, in counties where it is the only district having a twelve grade high school, from the provisions of this act; and to prescribe the manner of payment of indebtedness of the dissolved district.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Dooley
Doyle
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 6:

Craven
Crossland
Cullingham
Greenamyre
Reavis
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 440. With emergency clause.

A bill for an act to make appropriations for the payment of claims filed against the State of Nebraska in the office of the Auditor of Public Accounts, not heretofore paid, and for which no appropriation has been made; to make appropriations for the payment of miscellaneous claims presented to the Legislature for which no appropriations have been made; to provide the manner in which certain money so appropriated shall be paid and expended; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Asimus
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Mekota
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 6:

Gutoski
Hanna
Matzke
Mischke
Mueller
Rakow

Not voting, 5:

Craven
Crossland
Cullingham
Lee
Reavis

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 72.

A bill for an act to amend section 70-604, C. S. Supp., 1941, relating to the sale, lease or transfer of electric light or power plants, distribution systems or transmission lines of municipal corporations and public electric light and power districts to any private person, firm, association or corporation; extending the conditions therein made to a sale, lease or transfer of such a plant, system or lines by any city or village to a public power district and also by any of the within designated public power districts to any other public power district; to provide that all such sales, leases and transfers shall not be valid unless authorized and approved, at a general or special election, by sixty per cent of the electors voting on such proposal; to provide for notice of such elections; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Mr. Garber moved a call of the House.

A call of the House was ordered.

Forty members were present.

Mr. Garber moved to raise the call.

The motion prevailed with 36 ayes, no nays, 7 not voting.

Voting in the affirmative, 22:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Crosby
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Jeffords
Matzke
Mischke
Mueller
Ogden
Peterson
Raecke
Reavis
Tvrdik

Voting in the negative, 15:

Asimus
Carmody
Conklin
Doyle
Jeppesen
Klaver
Mekota
Neubauer
Norman
Osborne
Rakow
Sorrell
Thomas
Thompson
Weborg

Not voting, 6:

Brodahl
Craven
Crossland
Heiliger
Hubka
Lee

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 176.

A bill for an act relating to the lending of money; to amend sections 45-131, 45-132, 45-143, 45-144, 45-146, and 45-155, C. S. Supp., 1941; to define certain terms; to provide for certain regulations of the business of making small loans; to limit the maximum size loan which may be made; to prescribe maximum rates of charge which licensees are permitted to make; to limit the time for which such loans may be made; to require the release and return to the borrower,at the time a loan is made, of documents relating to the loan; to provide penalties for violations; to provide for the appointment of a receiver for such licensees, under the prescribed conditions, and certain powers and duties of such receivers; to give the Department of Banking certain powers and methods of forcing compliance with the provisions of this act; and to repeal the original sections above set forth and also section 45-148, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Mr. Hubka moved a call of the House.

A call of the House was ordered.

Thirty-eight members were present.

Mr. Hubka moved to raise the call.

The motion prevailed with 37 ayes, no nays, 6 not voting.

Voting in the affirmative, 24:

Anderson, D. S.
Anderson, James H.
Brodahl
Burnham
Conklin
Cullingham
Dooley
Foster
Gantz
Gutoski
Heiliger
Hubka
Klaver
Lee
Matzke
Mueller
Neubauer
Norman
Ogden
Peterson
Rakow
Reavis
Thompson
Tvrdik

Voting in the negative, 13:

Asimus
Bowman
Carmody
Garber
Greenamyre
Hanna
Jeppesen
Mischke
Osborne
Raecke
Sorrell
Thomas
Weborg

Not voting, 6:

Craven
Crosby
Crossland
Doyle
Jeffords
Mekota

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Approved by the Governor

May 26, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 79
L. B. 204
L. B. 206
L. B. 236
L. B. 335
L. B. 400
L. B. 436

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly enrolled

L. B. 261	L. B. 95	L. B. 424	L. B. 418
L. B. 337	L. B. 435	L. B. 372	

LEGISLATIVE BILL 153. Placed on Select File with amendments.

E and R amendments to L. B. 153:

1. In the 2nd Select File amendment by Mr. Reavis and in the amendment by Mr. Raecke, after "21," insert "formerly Section 24, page 10".

2. In the bill, Section 21, formerly 24, page 10, at the end of line 5, strike the semicolon, and in lieu thereof insert a period, and strike Enrollment and Review Committee amendment 24.

3. In the bill, title, page 1, 19th line, after "emergencies" insert "or other special circumstances or conditions set forth in this act" .

4. In Select File amendment No. 2, by Mr. Gantz, 2nd line, strike the comma after "costs" and before "or", and in the 3rd line, after the quotation mark and before the period insert "(both amendments referring to the matter inserted by amendment No. 8 by Mr. Raecke, adopted on April 30, 1943)" .

LEGISLATIVE BILL 420. Placed on Select File with amendments.

E and R amendments to L. B. 420:

1. In the mimeograph bill, Section 9, page 10, strike "and" at the beginning of line 30, and at the end of said line, strike the period and in lieu thereof insert ";" .

2. In the amendment by Mr. Heiliger in regard to the deputy surveyor, insert a semicolon at the end of the insertion.

3. In the amendment by Mr. James H. Anderson, in regard to the deputy county assessor, at the beginning of the newly inserted matter, after the quotation mark, insert "and", and at the end of the insertion and before the quotation mark insert a period, and in the inserted matter, after the word "assessor" insert "," .

4. In the mimeographed bill, Section 14, page 15, line 19, strike the comma after "county" and before "said" and in lieu thereof insert ";" ; and on page 16, line 31, strike the period after "county" and in lieu thereof insert ";".

5. In the mimeograph bill, Section 19, page 22, line 38, strike "," before "shall".

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 153. E and R amendments, above set out, were adopted.

Referred to E and R for engrossment.

LEGISLATIVE BILL 420. E and R amendments, above set out, were adopted.

Referred to E and R for engrossment.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 261 L. B. 95 L. B. 424 L. B. 418
L. B. 337 L. B. 435 L. B. 372

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly engrossed

L. B. 384 L. B. 437

(Signed) James H. Anderson, Chairman

MOTION—To Amend Rules

Mr. Hubka moved to suspend the rules and adopt the following amendment:

Insert in Rule 13, Section 5b, line 3 after the word "Committees", the following words: "except as modified by the Committee on order and arrangement".

The motion prevailed with 33 ayes, no nays, 10 not voting.

Member Excused

Mr. Asimus was excused for Thursday morning.

Recess

At 12:10 p. m. on motion by Mr. Garber the Legislature recessed until 4:00 p. m.

After Recess

The Legislature reconvened at 4:00 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Craven and Crossland, who were excused, and Messrs. Asimus, Brodahl, Conklin, Foster, Jeppesen, Matzke and Mischke.

Amendments to Rules

Upon request by Mr. Mekota, unanimous consent was granted to add the word "Legislative" following the word "five", and "Rule 7" following Section 9, in amendment No. 5.

Mr. Mekota moved that amendment No. 5 be adopted.

The motion prevailed with 32 ayes, no nays, 11 not voting.

Mr. Raecke moved that amendment No. 6 be adopted.

The motion prevailed with 30 ayes, no nays, 13 not voting.

Mr. Lee moved that his amendment to Section 8 of Rule 7 be adopted.

The motion was lost with 7 ayes, 11 nays, 25 not voting.

Proposed Amendment

Mr. Sorrell proposed the following amendment:

Amend Sec. 2 of Rule 6 as follows:

Strike the colon at the end of the first paragraph of said section and add the following: ". In the assignment of members to the various standing committees, and in the selection of the chairmen thereof, preference shall be given, as far as practicable, to those members who are senior in successive terms of service in the Legislature."

Referred to the Committee on Rules.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 138. Correctly engrossed.

Correctly Enrolled

L. B. 415 L. B. 286 L. B. 176

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 415 L. B. 286 L. B. 176

MOTION—Final Adjournment

Mr. Mueller moved that the Legislature reconsider its action in fixing date for final adjournment and the date be fixed for Friday. May 28, 1943.

The motion prevailed with 31 ayes, no nays, 12 not voting.

Recess

At 4:40 p. m. on motion by Mr. Mueller the Legislature recessed until 8:30 p. m.

After Recess

The Legislature reconvened at 8:30 p. m., President Johnson presiding.

The roll was called and all members were present except Messrs. Asimus, Dooley, Greenamyre, Gutoski, Hubka, Mischke, Rakow, Reavis, Sorrell and Thompson.

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 295. Replaced on Select File with amendments.

E and R amendments to L. B. 295:

Amend Section 10, formerly 9, page 8, line 5, by reinserting "or district" after "county".

Correctly Enrolled

L. B. 72 L. B. 225

Correctly Engrossed

L. B. 420 L. B. 153 L. B. 255

(Signed) James H. Anderson, Chairman

SELECT FILE

LEGISLATIVE BILL 295. E and R amendments, above set out, were adopted.

Referred to E and R for engrossment.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 72	L. B. 225

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

L. B. 248	L. B. 295

LEGISLATIVE BILL 440. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 440

Adjournment

At 9:40 p. m. on motion by Mr. James H. Anderson, the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature.

ONE-HUNDRED SECOND DAY

Legislative Chamber, Lincoln, Nebraska

Thursday, May 27, 1943.

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Asimus who was excused.

The Journal for the One Hundred First Day was approved.

Communications

A letter was read from Governor B. B. Hickenlooper of Iowa enclosing a certified photostatic copy of the Iowa act fixing the Iowa-Nebraska boundary line.

STANDING COMMITTEE REPORTS

Committee on Rules

The following amendment to Sec. 2 of Rule 6 is reported back to the Legislature without the recommendation or rejection of the Rules Committee:

Strike the colon at the end of the first paragraph of said section and add the following: ". In the assignment of members to the various standing committees, and in the selection of the chairmen thereof, preference shall be given, as far as practicable, to those members who are senior in successive terms of service in the Legislature."

The Committee on Rules was unanimous in its decision to take no further action on the amendment by Senator Doyle offered on May 25, 1943.

(Signed) Sorrell, Chairman

RESOLUTIONS

LEGISLATIVE RESOLUTION 42. Memorial to Departed Members

Introduced by Harry E. Gantz, Daniel Garber, E. M. Neubauer

Respecting the memory of

Thomas E. Alderson, George W. Anderson, Oscar T. Anderson, Berton K. Bushee, Charles A. Dafoe, Eugene W. Dowell, George A. Ernst, Henry Gerdes, Henry E. Goodrich, George W. Greenwalt, Matthew A. Hall, Walter V. Hoagland, William D. Holbrook, Nels Johnson, John Larsen, John E. Long, John R. Long, James G. McBride, J. J. McCarthy, John H. Morehead, Thomas C. Munger, James Nichols, Theophilus L. Norval, Elias T. Peck, William H. Pitzer, Perry Reed, Ben T. Skeen, George Snow, W. R. Spicknall, George J. Spohn, Willis M. Stebbins, Allen S. Stinson, James M. Talcott, Eugene A. Tucker, E. M. Von Seggern, William H. Wilson, and George Wolz.

"We see but dimly through the mists and vapors;
Amid these earthly damps
What seem to us but sad, funereal tapers
May be heaven's distant lamps.

There is no Death; What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death."

THOMAS E. ALDERSON

Thomas E. Alderson, a well known Madison county pioneer, died at the age of 90, on March 3, 1942. Born in Wisconsin, he came to Nebraska in 1871 and resided in the vicinity of Madison from that time until the time of his death. He was engaged in the business of farming and the raising of livestock until the year 1911, when he retired from active management of the farm and established his home in Madison. He represented Madison county in the Legislature in the 1907 session, and was recognized as a faithful and upright public servant.

GEORGE W. ANDERSON

George W. Anderson, a member of the Legislature of 1899, died on January 29, 1942, at the age of 87. Mr. Anderson was born in England and came to the United States in 1887. He shortly thereafter came to Nebraska to live and resided in Havelock for over forty years prior to his death. He was an employee of the Burlington Railroad until the year 1928 at which time he was retired on the pension roll. He served in many positions of honor and trust in Havelock.

OSCAR T. ANDERSON

Oscar T. Anderson, a prominent Phelps county farmer, died on April 11, 1942. He was a director of the Central Nebraska Public Power and Irrigation District and was prominent in his community. He served in the Nebraska Legislature in the years 1915 and 1917. His record was such that he won the respect and esteem of his contemporaries.

BERTON K. BUSHEE

Berton K. Bushee died at his home in Lincoln on March 24, 1942. He was born and educated in Wisconsin. After graduation from high school he engaged in teaching in Kimball county and served two terms as county superintendent of schools. He was engaged in the mercantile business from 1898 to 1915 when he became president of the Citizens State Bank at Kimball which position he held for six years. In 1923 he moved to Lincoln where he was associated with the Allen-Bushee Insurance Company. He was a member of the Nebraska Legislature from 1909 to 1921, having served in the House of Representatives for two terms and in the Senate five terms. His long and faithful service to the state won for him an enviable reputation.

CHARLES A. DAFOE

Charles A. Dafoe was born at Tecumseh in 1901. He received his education at Nebraska Wesleyan University and the University of Nebraska. He commenced to practice law in Tecumseh where he held the position of city attorney and later county attorney of Johnson county. He was a member of the Senate of the Nebraska Legislature in 1935 and a member of the first Unicameral Legislature in 1937. In the year 1941 he volunteered his services in the United States army and received the commission of captain. He was killed in the crash of an army transport plane while serving his country. His sudden death cut short a very promising career and was a distinct shock to his many friends throughout the state.

EUGENE W. DOWELL

Eugene W. Dowell, a member of the House of Representatives during the 1935 Special Session of the Legislature, died at Sabetha, Kansas, on June 2, 1942. He was born in Kentucky of Irish ancestry and came to Nebraska in 1898, when he engaged in the business of farming and cattle feeding in Richardson county. He was honored and respected in the community where he established for himself an enviable place.

GEORGE A. ERNST

George A. Ernst, a resident of Kimball county since 1910, died December 17, 1941. He represented Kimball and Cheyenne counties in the Nebraska Legislature where he served with distinction in the 1923 and 1927 sessions.

HENRY GERDES

Henry Gerdes, a member of the Nebraska Legislature during the sessions of 1891, 1893, 1897, 1905, 1909 and 1911 died at his home in Falls City on February 5, 1943. He was born in McHenry county, Illinois in 1855 and came to Nebraska with his parents at the age of seven years. He spent his entire life in Nebraska, and served in many positions of honor and trust in the state, including membership on the Board of Control of State Institutions. He was a tireless, conscientious worker for the betterment of state government.

HENRY E. GOODRICH

Henry E. Goodrich, an outstanding citizen of Nuckolls county, died at Nelson on April 9, 1943, at the age of 83. He was born in Ohio and came to Nebraska in 1885, where he engaged in the real estate business. He was prominent in civic activities in his community, and was a member of the Legislature during the 1919 and 1925 sessions.

GEORGE W. GREENWALT

George W. Greenwalt died March 24, 1943, at his home in Van Nuys, California. He served as a member of the House of Representatives of the Nebraska Legislature in 1913, 1915 and 1917. His legislative record was such that he won the respect and esteem of his constituents and fellow members in the Legislature.

MATTHEW A. HALL

Matthew A. Hall, a prominent Omaha lawyer, died June 17, 1942. Mr. Hall was born in Ontario, Canada, and came to Omaha in 1888 after graduating from the University of Wisconsin Law School. He served as British Vice Consul and also as United States Commissioner for many years. He was a member of the Nebraska Senate in 1903. He will long be remembered for his high professional standing as a practicing attorney at the Douglas county bar, and for his valued services which he contributed to the public.

WALTER V. HOAGLAND

Walter V. Hoagland, a North Platte pioneer attorney, died December 20, 1942. He was born in Illinois in 1870 and came to Nebraska with his parents in childhood. His preliminary education was in the schools of Lincoln and North Platte and he received his college education at the University of Nebraska. He practiced law at North Platte from 1896 until the time of his death. He served four terms in the Nebraska Legislature, having been a member of the 1911, 1913, 1917 and 1919 sessions. He enjoyed the confidence and respect, not only of his home community, but of the state at large.

WILLIAM D. HOLBROOK.

William D. Holbrook, a pioneer of Dodge county, died February 25, 1943. He served five terms in the Nebraska Legislature and was a member of the state constitutional convention in 1920. He was courageous and enthusiastic in lending his support to every measure for the public good throughout his long career as a legislator.

NELS JOHNSON

Nels Johnson, a resident of Burt county, died October 13, 1942, at the age of 82. He was born in Sweden and on coming to America went directly to Burt county to live. He held many positions of honor and trust in his community and served in the Nebraska Legislature in 1907.

JOHN LARSEN

John Larsen, former deputy state labor commissioner, died October 15, 1942, at Omaha. He was prominent in politics and served in the Nebraska Legislature in 1915. He was active and faithful in the performance of the many duties of the public offices he held.

JOHN E. LONG

John E. Long, at one time a prominent resident of Cuming county, died at Bentonville, Arkansas, on December 5, 1942, at the age of 92. He was a stalwart pioneer and served the people of his community well. Among other offices held by him was that of county sheriff at a time when the community in which he lived was very sparsely settled. He was a member of the Legislature of 1879.

JOHN R. LONG

John R. Long, a prominent Loup City business man, died December 18, 1942. He was engaged in the real estate and insurance business at the time of his death and was a member of the board of directors of the Middle Loup Public Power and Irrigation District. He represented Sherman county in the Legislature in 1935. He was held in highest esteem by his many friends.

JAMES G. McBRIDE

James G. McBride, Secretary of the Nebraska Pharmaceutical Association for over twenty-five years, died at his home in Lincoln. October 14, 1942. Born in Scotland, Mr. McBride came to this country when he was five years old and the family settled in Dubois, Nebraska. Until 1910, Mr. McBride operated a drug store at Stella, at which time he moved to Lincoln and was engaged in the drug business until his retirement about ten years before his death. He served in the Nebraska Legislature during the 1929 and 1933 sessions. He was an outstanding example of the honest, public-minded citizens who built the State of Nebraska. He served 25 years as secretary of the State Drug Association; and was the father of Gregg McBride, sports writer for the "World-Herald".

J. J. McCARTHY

J. J. McCarthy, a prominent attorney of Ponca, died March 30, 1943. He served in the Nebraska Legislature from 1899 to 1903, and from 1903 to 1907 as a member of the Congress of the United States. He was known as a careful, thorough and successful lawyer, upon whom his community for many years relied for counsel and advice.

JOHN H. MOREHEAD

John H. Morehead, one of the leading statesmen in Nebraska, died on May 30, 1942. He was born in Lucas county, Iowa, where he attended school. In the year 1880 he moved to southeastern Nebraska and started in business at Barada in Richardson county. He was successively town clerk, town treasurer, county treasurer, member of the Legislature, Governor of Nebraska, and member of Congress from the First congressional district. He served with distinction in the Legislature of 1911, where he was named as president pro tem of the Senate. Upon the death of the Lieutenant-Governor in 1911, he automatically took over that office. He served for two terms as Governor of Nebraska commencing in 1913. He was elected congressman from the First congressional district in 1922 and re-elected in 1924, 1926, 1928, 1930 and 1932. He retired from politics in 1934 and returned to

Richardson county to take an active part in his farming business. He was throughout his life intensely interested in the affairs of the state and served his state and nation well.

THOMAS C. MUNGER

Thomas C. Munger, an outstanding jurist, died November 30, 1941. Judge Munger was born in Ohio in 1861. He received his education at Cornell, Iowa, and Union College of Law at Chicago. He came to Nebraska in 1885 and after teaching a year in Lancaster county went to Benkelman where he was made county attorney. He served in the Nebraska Legislature from 1895 to 1897. In 1897 he was elected county attorney of Lancaster county and served for four years. In 1907 he was appointed judge of the United States district court for the district of Nebraska and served in that position until August 1, 1942, when he announced his retirement. However, he continued to serve until the time of his death and he was then senior judge from the point of service in the United States, and he was rated as one of the outstanding judges in the entire country. He built up a reputation as a fair-minded, fearless judge, courteous but firm, with a high sense of his obligations and the desire to live up to the traditions of his office.

JAMES NICHOLS

James Nichols, a resident of Madison, Nebraska, was a representative from the Twenty-fourth district. He was born at Middleborough, Massachusetts, on September 15, 1866. He was graduated from the law school of the Kansas State University in the year 1890, and began the practice of law in the same year at Madison. He was a valued leader in his community, having served as city attorney of Madison, and also as prosecuting attorney of Madison county. He was a candidate for Congress in 1928 and departed this life January 14, 1942.

THEOPHILUS L. NORVAL

Theophilus L. Norval died February 10, 1942, at the age of 94 at the home of his daughter in Los Angeles. He was an outstanding leader in law and politics in the state, having served as a member of the Nebraska Senate, judge of the district court, Justice of the Supreme Court and presidential elector. He was born in Illinois and received his early education there. He attended Abington College in Illinois and the University of Michigan Law School. He came to Nebraska in 1872 where he and his brother established a law office at Seward. He served in the Nebraska Legislature in 1879 and again in 1921 when he was elected president of the Senate. His long and active career in the state helped build Nebraska.

ELIAS T. PECK

Elias T. Peck, a prominent Richardson county pioneer, died November 6, 1942. He was a member of the Nebraska Legislature during the 1931 session, and was an able and fearless legislator.

WILLIAM H. PITZER

William H. Pitzer, a prominent Nebraska City lawyer, died January 12, 1943. He came to Nebraska in 1898, after teaching school in Iowa. From that time until his death, he was engaged in the practice of law in Nebraska City and was an officer of several financial institutions. The people of his county honored him by electing him to the constitutional convention in 1920, where he served with distinction. He also ably served in the Senate of the Nebraska Legislature during the 1931 session.

PERRY REED

Perry Reed, a farmer and stock raiser of Hamilton county, died April 4, 1943. Mr. Reed was one of the outstanding members of the Legislature, having served from 1917 to 1933. From 1925 to 1933 he was president pro tem of the Senate. In 1933 he became Secretary of the Board of Agriculture holding that position for several years. He unselfishly dedicated the greater part of his life to the service of his state.

BEN T. SKEEN

Ben T. Skeen, who served four terms in the Nebraska Legislature, died July 11, 1941, at the age of 89 years. He was known as the father of the cooperative commission company movement in Nebraska. He was president of the county farmers union of Nemaha county and a former state union board member. He will be remembered for his integrity and sense of duty.

GEORGE SNOW

George Snow, editor and publisher, died August 11, 1942. He was born in Illinois and moved to Nebraska at an early age. He graduated from Doane College in 1900 and following a teaching career he became publisher of the Chadron Journal. He was a past president of the Nebraska Press Association. He served in the House of Representatives of the Nebraska Legislature for two terms, from 1919 to 1923 and was secretary of the Senate from 1927 to 1931. He was recognized as a leader and as a man possessed of high intellectual attainments.

W. R. SPICKNALL

W. R. Spicknall, who served in the Nebraska Legislature in the 1877 session, died at the age of 94, on December 20, 1942. He was born in Yorkville, Indiana, and moved to Nebraska and was elected to the Legislature at the age of 28. He moved to Kansas and was elected to the Kansas Legislature. Later he moved to California where he was residing at the time of his death. He served his constituents honestly and well.

GEORGE J. SPOHN

George J. Spohn, a long time resident of Nuckolls county, died at Superior on December 19, 1942. He had large farming interests and occupied an active position in civic affairs. He served in the Senate of the Legislature in 1889. He possessed rare legislative judgment and political sincerity.

WILLIS M. STEBBINS

Willis M. Stebbins, one of Nebraska's outstanding citizens, died July 2, 1941. Mr. Stebbins was born in Pennsylvania. After teaching school in New York he located in 1884 in Lincoln county, Nebraska, where he resided until the time of his death. He engaged in the real estate and insurance business in Gothenburg until the year 1927. He was a member of the Legislature during the sessions of 1911, 1913 and 1915. In 1919 and 1920 he represented Dawson county in the constitutional convention. He served as State Treasurer of Nebraska from 1927 to 1931. He was active in fraternal and civic groups. He represented his community and state with honor and distinction.

ALLEN S. STINSON

Allen S. Stinson, a prominent public official of Knox county, died March 15, 1942. His life was one of public service to his community. His interest in education is attested by the fact that he taught school for eighteen years, held the position of county superintendent of schools of Knox county for eight years and was a member of the board of education of his home town for many years. He served as deputy county clerk of Knox county for two years, and from 1933 until the time of his death he was county judge. He was a member of the Senate of the Nebraska Legislature from 1927 to 1931.

DR. JAMES M. TALCOTT

Dr. James M. Talcott, chief federal probation officer for Nebraska, died on November 19, 1942. He was born in Iowa and was graduated from Iowa University College of Medicine. He practiced medicine at

Crofton from 1899 to 1918 and then became interested in real estate and banking. He was a member of the Nebraska House of Representatives in 1909 and a member of the Senate in 1911. He was also a member of the State Parole Board from 1913 to 1921. All who knew him recognized his sterling character and integrity.

EUGENE A. TUCKER

Eugene A. Tucker, who practiced law throughout the middle west, died December 29, 1942, at the age of 87. He was a graduate of the University of Wisconsin Law School and settled in Humboldt in 1879 where he served terms as mayor and district attorney. He was a member of the Nebraska Senate from Richardson county. Later he was appointed to the Supreme Court of the Territory of Arizona by Theodore Roosevelt. He made his mark as a high-minded lawyer, legislator and judge.

E. M. VON SEGGERN

E. M. Von Seggern, publisher of the West Point Republican, died September 12, 1942. He started his newspaper career in 1903 and continued in that business until the time of his death. He was a pioneer member of the Nebraska Taxpayers League, and was outspoken in his opposition to new forms of taxation. He served in the Legislature in 1935, 1937 and 1939. He was an able and vigorous leader, and gave generously of his time to public affairs.

DR. WILLIAM H. WILSON

Dr. William H. Wilson, for many years a resident of Pawnee county, Nebraska, died in Ponca City, Oklahoma, April 12, 1942. Dr. Wilson was born in Ireland and came to this country at an early age. He commenced the practice of medicine in Pawnee county in 1884. He practiced medicine in Pawnee county for twenty-three years and served as State Health Inspector from 1907 to 1915, and was State Epidemiologist from 1917 to 1921 when he resumed private practice in Lincoln. He was chief of the State Board of Health from 1925 to 1929. He served in the House of Representatives of the Legislature from 1903 to 1905, and in the Senate in 1907. Throughout his long career, he was noted for his adherence to high ideals.

GEORGE F. WOLZ

George F. Wolz, prominent pioneer resident of Dodge county, died July 31, 1942, at the age of 80. He was prominently identified with highway activities for many years and was known as "Good Roads" Wolz. In 1913 he was elected first president of the Nebraska Good Roads Association, and was national director of the Highway 30 Association at one time. He served eight years as mayor of Fremont, was president of the Nebraska Bankers Association and the League of Nebraska Municipalities. For many years he was manager and secretary of the Fremont Chamber of Commerce. He was a man of firm convictions. He was a member of the Senate of the Nebraska Legislature during the 1913 session.

WHEREAS, it is the desire of this body to commemorate the former members of the Nebraska Legislature, who have died since the adjournment of the last legislative session in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That we pause in our deliberations and stand in silence for a few moments in memory of the deceased members of the Nebraska Legislature, who so ably, honorably and well, discharged their duties as citizens of this state and servants of the people thereof.

2. That this resolution be spread at large upon the journals of this Legislature, and that a copy, suitably engrossed, be prepared and sent by the clerk of the Legislature to each of the bereaved families of the deceased members, as above set forth, as an expression of our respect for their memories.

Mr. Gantz moved that the Resolution be adopted.

The motion prevailed with 37 ayes, no nays, 6 not voting.

The assembly paused a few moments in silent tribute to the departed members.

The Chaplain made a few remarks appropriate to the occasion.

MOTION—To Suspend

Mr. Crosby moved that the rules be suspended and that Legislative Bills 332, 280, 431, 229, 123, 195, 296, 96, 287, 230, 327 and 43 be considered on Third Reading file for passage.

The motion prevailed with 35 ayes, no nays, 8 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 332.

A bill for an act relating to cooperative credit associations; to provide that any cooperative credit association may become a depository for the funds of a city, town, village, township or school district situated within the boundaries of the county, or a county adjoining thereto, in which such political subdivision is situated and the conditions upon which deposits of such funds can be made; to grant to the Department of Banking discretionary power in granting approval of the articles of association and by-laws of such associations; to provide limitations upon the withdrawal of share payments of such association; to provide that active executive officers of such associations shall obtain licenses from the Department of Banking; to require fidelity bonds of all executive officers of such associations and such other employees thereof as the Department of Banking deems necessary running to the association and also to the State of Nebraska; to provide for more effective supervision of cooperative credit associations by the Department of Banking; to provide that the Department of Banking shall be empowered to make rules and regulations, not inconsistent with law, to prevent illegal or unsafe practices; to provide penalties; to amend sections 24-1310, 24-1311, 24-1313, 24-1316, 24-1325, and 24-1326, Compiled Statutes of Nebraska, 1929, and sections 24-1314, 24-1315, and 24-1328, C. S. Supp., 1941; and to repeal said original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Cullingham
Dooley
Foster
Gantz
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 9:

Asimus
Crossland
Doyle
Garber
Gutoski
Matzke
Osborne
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 280. With emergency clause.

A bill for an act to amend section 77-702, C. S. Supp., 1941, relating to taxation; to restate what corporations and companies shall make returns and be taxed in the manner provided therein; to provide for the taxation of industrial loan and investment companies in the same manner as banks; to provide for the taxation of the intangible property of licensees under section 45-133, C. S. Supp., 1941, by a tax of twelve mills upon the dollar of the gross income from interest and charges collected in this state by the licensee during the calendar year preceding the assessment; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Anderson, D. S.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Dooley
Foster
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 8:

Anderson, James H.
Asimus
Cullingham
Doyle
Gutoski
Matzke
Norman
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 431.

A bill for an act to amend section 33-128, C. S. Supp., 1941, relating to salaries of members of county boards; to provide that in counties under township organization having twelve thousand or more inhabitants and less than twenty-two thousand inhabitants, the annual salary of members of the board of supervisors shall be eight hundred dollars; to provide that in counties under township organization having twenty-two thousand or more inhabitants and less than sixty thousand inhabitants, the annual salary of members of the board of supervisors shall be nine hundred fifty dollars; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 10:

Anderson, James H.
Asimus
Carmody
Doyle
Garber
Gutoski
Matzke
Osborne
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 229.

A bill for an act relating to the sale of articles; to provide for the sale of articles left longer than certain periods with cleaning, pressing, glazing, laundering, repairing and storage establishments, after notice to owners, to defray charges; to provide certain procedure therefor, including the publishing or posting of notices thereof.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Foster
Gantz
Garber
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 8:

Asimus
Carmody
Dooley
Doyle
Greenamyre
Osborne
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 123.

A bill for an act to amend section 16-306, Compiled Statutes of Nebraska, 1929, and sections 17-108 and 17-209, C. S. Supp., 1941; relating to salaries of officers of cities of the first and second class and villages; to increase the salaries of certain officers of cities of the above classes and villages; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Conklin
Craven
Crosby
Crossland
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 5:

Carmody
Cullingham
Dooley
Garber
Osborne

Not voting, 6:

Asimus
Burnham
Doyle
Mekota
Rakow
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 195. With emergency clause.

A bill for an act to amend sections 31-630 and 31-631, C. S. Supp., 1941, and section 31-605, Compiled Statutes of Nebraska, 1929, relating to the discontinuance of the activities of sanitary drainage districts as independent governmental subdivisions of the state and to the number of trustees thereof; to provide procedure by petition of qualified voters for effecting such discontinuance; to provide for the number and manner of election of trustees; to increase to five the number of trustees in any such districts containing a city of fifty thousand or more inhabitants; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Asimus
Doyle
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed wtih the emergency clause and the title agreed to.

LEGISLATIVE BILL 296.

A bill for an act relating to the organization, licensing and control of industrial loan and investment companies; to prescribe regulations for the making of installment loans by such companies; to provide maximum charges, including interest, on such loans; to prescribe the manner and method of making, collection, payment and enforcement of such loans; to give the Department of Banking certain prescribed powers and duties in regard thereto; to define terms; to prohibit certain statements in the advertisements published or distributed by such companies; and to provide penalties for violation of this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Cullingham
Dooley
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mischke
Mueller
Neubauer
Ogden
Peterson
Rakow
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 4:

Carmody
Garber
Osborne
Raecke

Not voting, 9:

Asimus
Crosby
Crossland
Doyle
Greenamyre
Jeppesen
Mekota
Norman
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Approved by the Governor

May 26, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 205
L. B. 363

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

May 27, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 95
L. B. 418
L. B. 424
L. B. 435

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

Recess

At 10:30 a.m. on motion by Mr. Lee the Legislature recessed for ten minutes.

After Recess

The Legislature reconvened at 10:45 a.m., President Johnson presiding.

The roll was called and all members were present except Mr. Asimus, who was excused.

MOTION—To Recommit to Select File

Mr. Sorrell moved to recommit L. B. 96 to Select File for specific amendment.

The motion was lost with 7 ayes, 24 nays, 12 not voting.

BILLS ON THIRD READING (Continued)

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 96. With emergency clause.

A bill for an act making appropriations for the state government of the State of Nebraska for the biennium beginning July 1, 1943, and ending June 30, 1945; prescribing conditions for the determination of the levy of the state taxes for the state general fund; reciting limits and conditions on the expenditure of funds from the appropriations so made; and to declare an emergency.

Read to Section 40.

Recess

At 11:55 a. m. on motion by Mr. Brodahl, the Legislature recessed until 2:00 p.m.

After Recess

The Legislature reconvened at 2:00 p.m., President Johnson presiding.

The roll was called and all members were present except Mr. Asimus, who was excused.

Communication

A letter of appreciation was read from Clarence M. Davis, attorney for Committee on Enrollment and Review.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 96. The Clerk completed reading the bill.

Whereupon the President stated: "All provisions of law relative

to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 2:

Craven
Sorrell

Not voting, 4:

Asimus
Cullingham
Jeppesen
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statements for the Journal

Mr. President: I vote against L. B. 96 for the reasons, among others, that it includes a blank check appropriation of one-half million dollars which is likely to be used for political purposes and it contains an excessive appropriation for an unnecessary military establishment burdened by an unreasonable number of lieutenant colonels.

(Signed) Craven

Mr. President: Had I been present I would have voted for L. B. 96 on third reading today, May 27, 1943.

(Signed) Cullingham

LEGISLATIVE BILL 287.

A bill for an act to amend section 59-527, C. S. Supp., 1941, relating to unlawful discrimination in business; to provide for certain proceedings against and penalties upon any corporation, joint stock company or other association, or the officers and agents thereof, violating the provisions of sections 59-523 to 59-526, both inclusive, C. S. Supp., 1941, which or who have been once previously adjudged to have violated the provisions of said sections 59-523 to 59-526, both inclusive; to vest certain powers and discretion in the Attorney General and also in the court, before whom proceedings brought by the Attorney General are tried, in regard thereto; and to repeal said original section and also sections 59-528 and 59-529, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crosby
Dooley
Gantz
Garber
Greenamyre
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Peterson
Raecke
Rakow
Reavis
Sorrell
Thomas
Weborg

Voting in the negative, 10:

Carmody
Craven
Crossland
Doyle
Foster
Gutoski
Norman
Ogden
Osborne
Tvrdik

Not voting, 3:

Asimus
Cullingham
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Sorrell was excused for the remainder of the afternoon.

LEGISLATIVE BILL 230.

A bill for an act to amend sections 48-101 and 48-109, Compiled Statutes of Nebraska, 1929, and 48-152, Compiled Statutes of Nebraska, 1929, as said section is amended in part as shown in section 48-152,

C. S. Supp., 1941, relating to Workmen's Compensation; to provide that the benefits of the Workmen's Compensation Act shall extend to injuries to employees caused by occupational disease arising out of and in the course of employment; to define the term "occupational disease", as used in this act, and to specifically exclude certain causes of death or disability from such term and to specifically include therein an aggravation of a pre-existing occupational disease under the conditions herein set forth; and to repeal the original sections and also said original section 48-152, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Neubauer
Norman
Ogden
Osborne
Raecke
Thomas
Tvrdik
Weborg

Voting in the negative, 3:

Mischke
Rakow
Reavis

Not voting, 8:

Asimus
Brodahl
Garber
Hanna
Mueller
Peterson
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Mr. Craven was excused for an hour.

LEGISLATIVE BILL 327. With emergency clause.

A bill for an act relating to pensions for firemen; authorizing every city of the first class which has adopted, or which may hereafter adopt, a charter for its own government, as provided by Article XI of the Constitution of Nebraska, to provide by charter and establish pensions or a retirement system or systems for its municipal employees, subject to statutory minimum standards as to firemen and other provisions and conditions relating thereto; to amend sections 35-201, 35-202, and 35-203, Compiled Statutes of Nebraska, 1929; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 38:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Crosby
Crossland
Cullingham

Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger

Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller

Neubauer
Ogden
Osborne
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Asimus
Craven

Norman

Sorrell

Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Statement for the Journal

Mr. President: Had I been present, I would have voted for L. B. 327.

(Signed) Norman.

LEGISLATIVE BILL 43.

A bill for an act relating to the making of personal loans, repayable in installments, by banks, savings banks and trust companies; to permit such institutions to make such personal loans within authorized rates of charge and under regulations appropriate for the protection of borrowers; to provide for the administration and enforcement of this act; to provide for the prescribing of regulations; to provide for the keeping of books and records and the making of annual reports; to provide means for discovery of violations of this act; and to provide penalties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Norman
Ogden
Peterson
Raecke
Rakow
Reavis
Thomas
Tvrdik
Weborg

Voting in the negative, 4:

Carmody
Crosby
Greenamyre
Osborne

Not voting, 6:

Asimus
Craven
Garber
Neubauer
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Statements for the Journal

Mr. President: The amount on which interest over nine per cent may be charged is too high. Since L. B. 176 and 296, which greatly increase interest rates for other loaning agencies, have been passed, it would be highly discriminatory not to make some provision for banks. Therefore, I vote "Aye".

(Signed) Raecke

Mr. President: I vote against L. B. 43 for these reasons:

(1) The high interest rate of 18% on the first thousand and 12% on the second—of a two thousand dollar loan.

(2) The additional charges permitted by the bill, as that is insurance on property offered as security by the borrower.

(3) Because banks may enter the small loan field under the present law.

(Signed) Osborne

Mr. President: If I had been present, I would have voted for L. B. 43.

(Signed) Neubauer

Mr. President: Had I been present at the session on May 25, 1943, I would have voted "aye" on L. B. 72 and "nay" on L. B. 176.

(Signed) Crossland

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Thursday, May 27, 1943, at 9:00 a. m.

L. B. 95	L. B. 337	L. B. 418	L. B. 435
L. B. 261	L. B. 372	L. B. 424	

Thursday, May 27, 1943, at 1:45 p. m.

L. B. 72	L. B. 225	L. B. 286	L. B. 415
L. B. 176			L. B. 440

LEGISLATIVE BILL 214. Correctly enrolled.

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

Legislative Bill 214

Speaker Crosby presiding

THANKS—To Lieutenant Governor

Mr. President: I move that a rising vote of thanks be extended to our Lieutenant Governor, Roy W. Johnson, for the fair and impartial manner in which he has presided over the Legislature and the expeditious manner with which he has dispatched the business of the Legislature.

(Signed) D. S. Anderson

The motion prevailed.

THANKS—To Broadcasting Stations

Mr. President: I move that this body express its thanks and appreciation to the broadcasting stations for broadcasting our actions to the citizens of the state.

(Signed) Jeffords

The motion prevailed.

THANKS—To Press

Mr. President: I move that a vote of thanks be given to the newspapers of the state and the press association for the accurateness and fairness in giving to the people word pictures of the activities of this session of the Legislature.

(Signed) Norman

The motion prevailed.

President Johnson presiding

THANKS—Officers and Employees

Mr. President: I move that we, the members of the Fifty-sixth Session of the Nebraska Legislature, express our appreciation for the faithful conduct and courteous manner in which all of the elective officers of the Legislature and the employees of the Legislature have performed their duties during this session, and that this motion be spread upon the records of the Legislature.

(Signed) Klaver

The motion prevailed.

MOTION—Mailing Separates to Members

Mr. President: I move that the Clerk be directed to send to each member of the Legislature a file of the bills passed, as soon as printed, and that the expense in so doing be paid out of the Incidental Expense Appropriation.

(Signed) Osborne

The motion prevailed.

THANKS—To Speaker

Mr. President: I move that a vote of thanks be extended to the Speaker, Robert B. Crosby, for the fair, impartial and courteous manner in which he has discharged his duties as Speaker during the fifty-sixth session of the Legislature.

(Signed) Raecke

The motion prevailed.

MOTION—Permanent Journal, Mailing

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, and to each authorized member of the Press assigned to the Legislature for the fifty-sixth session, a copy of the permanent Legislative Journal of the fifty-sixth session, when completed; and that the proper officers of the Legislature be authorized to issue vouchers against the fund provided for incidental expenses of the fifty-sixth session of the Nebraska Legislature in payment of necessary postage or express and necessary wrapping material for sending said Legislative Journals to members of the Legislature and that the Press and the members of the Legislature be allowed to keep their Statutes and Supplements.

(Signed) Lee

The motion prevailed.

MOTION—C. S. Supp., 1943

Mr. President: I move that the Clerk of the Legislature be instructed to purchase and send to each member of the Legislature a copy of the Compiled Supplement of 1943.

(Signed) Hubka

The motion prevailed.

MOTION—To Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to check the bills, supplies, legislative chamber furniture, and otherwise complete the business of the office for the fifty-sixth session of the Legislature.

(Signed) Carmody

The motion prevailed.

MOTION—To File Bills and Records

Mr. President: I move that the chairman of each standing committee be requested to file with the Clerk of the Legislature any bills and standing committee records remaining in his possession, so that a proper record may be made of the final disposition of such bills.

(Signed) Mischke

The motion prevailed.

MOTION—To Present Flags

Mr. President: I move that as evidence of our sincere appreciation of our presiding officers, for the fair and impartial performance of their duties, we obtain a flag like the one hanging at the right of the President's chair and present one of said flags to Lieutenant Governor Roy W. Johnson, and one to Speaker Robert B. Crosby.

(Signed) Mueller

The motion prevailed.

MOTION—To Present Badge

Mr. President: I move that this body present to our sergeant-at-arms, J. W. Lundy, the badge of office he has worn during the session, during which he served us with dignity and loyalty in performing his official duties.

(Signed) Burnham

The motion prevailed.

MOTION—To Present Gavel

Mr. President: I move that the Lieutenant Governor, Roy W.

Johnson, be presented with the gavel used during the fifty-sixth session of the Legislature of Nebraska.

(Signed) Tvrdik

The motion prevailed.

MOTION—To Present Flag

Mr. President: I move that the flag displayed on the staff above the legislative chamber be delivered to the State Historical Society to be kept permanently.

(Signed) Peterson

The motion prevailed.

MOTION—Group Picture

Mr. President: I move that Dr. Condra be requested and authorized to place a group picture of the members of the fifty-sixth session in the west lounge, and a similar picture be furnished to the Nebraska State Historical Society, and that the Legislature express its appreciation.

(Signed) Garber

The motion prevailed.

MOTION—Permanent Journals, Contract

Mr. President: I move that the Clerk of the Legislature be instructed to ask the Purchasing Department to make a contract for printing five hundred Legislative Journals.

(Signed) Greenamyre

The motion prevailed.

MOTION—To Present Badge

Mr. President: I move that this body present to our Assistant Sergeant-at-arms, Clarence Linch, the badge of office he has worn during the Session, during which he served us with dignity and loyalty in performing his official duties.

(Signed) Brodahl

The motion prevailed.

MOTION—Session Laws

Mr. President: I move that the State Librarian be directed to furnish to each member of the Legislature, the Lieutenant Governor and the Clerk of the Legislature, a copy of the Session Laws of Nebraska (45 copies in all) for 1943, when printed.

(Signed) Mekota

The motion prevailed.

MOTION—Printing Permanent Journal and Session Laws

Mr. President: I move that the Legislature approve the action of the Committee on Legislative Administration regarding the printing of the permanent Legislative Journal by the Lincoln State Journal Company, and the Session Laws by the Cornhusker Printing Company.

(Signed) Conklin

The motion prevailed.

Adjournment

At 3:50 p. m. on motion by Mr. Neubauer, the Legislature adjourned until 8:00 a. m. Friday, May 28, 1943.

Hugo F. Srb
Clerk of the Legislature.

ONE-HUNDRED THIRD DAY

Legislative Chamber, Lincoln, Nebraska

Friday, May 28, 1943.

Pursuant to adjournment, the Legislature met at 8:00 a. m. President Johnson presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Mr. Rakow, and except Mr. Asimus, who was excused.

The Journal for the One-hundred Second Day was approved.

STANDING COMMITTEE REPORTS

Enrollment and Review

Correctly Enrolled

L. B. 280
L. B. 229
L. B. 195
L. B. 123
L. B. 296
L. B. 287
L. B. 230
L. B. 43
L. B. 431
L. B. 327

(Signed) James H. Anderson, Chairman

Legislative Administration

Monthly Report Legislative Expenditures

To the Members of the Legislature: May 26, 1943

Your committee begs leave to submit the following report covering salaries, officers' and employees' of the Legislature, for the month of May, 1943:

Name	Position	Days Hrs-Mo		Rate	Amt.	V. Tax	Amt. Paid
Roy J. Becker	Asst. Clerk	22	da	8.00	176.00	6.20	169.80
J. W. Lundy	Sgt. at Arms	24	da	5.00	120.00	3.40	116.60
Clarence Linch	Asst. Sgt. at Arms	24	da	4.50	108.00	2.80	105.20
Martin L. Pedersen	Postmaster	22	da	4.50	99.00	2.34	96.66
Leonard L. Chambers	Chaplain	22	da	4.50	99.00	2.34	96.66
Mildred Faulkner	Secy to Lt. Gov.	22	da	5.00	110.00	2.90	107.10
Lyda Hafer	Journal Clerk	22	da	6.00	132.00	4.00	128.00
Barbara Payne	Asst. Jr. Clk.	22	da	5.00	110.00	2.90	107.10
Hollis S. Thurber	Bookkeeper & Docket	22	da	5.50	121.00	3.45	117.55
Clara C. Turbyfill	Engross. Clerk	22	da	6.00	132.00	4.00	128.00
Juanita DeArmond	Asst. Engr. Clk.	22	da	5.00	110.00	2.90	107.10
Jo Lacy Fisher	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Isabella M. Moore	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Patricia Anstine	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Marcella Allen	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Lorraine Schwenk	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Katherine Cannell	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Nellie VonDorn	Committee Clk.	26	da	5.00	130.00	3.90	126.10

Virginia Connelly	Committee Clk.	22	da	5.00	110.00	2.90	107.10
Ruth Case Bordsen	Stenographer	21	da	5.00	105.00	2.65	102.35
Julia J. Bristow	Stenographer	22	da	5.00	110.00	2.90	107.10
Irma Campbell	Stenographer	22	da	5.00	110.00	2.90	107.10
Bertha Ann Daggett	Stenographer	(6	da	5.00	40.00	.70	39.30
		(5	da S.A.	2.00			
Eunice France	Stenographer	22	da	5.00	110.00	2.90	107.10
Mary Belle Heasley	Stenographer	(21½	da	5.00	117.50	3.27	114.23
	Omitted Time	(5	da S.A.	2.00			
Gwenda Lee Holmes	Stenographer	(20	da	5.00	107.00	2.75	104.25
	Omitted Time	(3½	da S.A.	2.00			
Elaine Hopkins	Stenographer	17	da	5.00	85.00	1.65	83.35
Hazel McBride	Stenographer	(22	da	5.00	120.00	3.40	116.60
	Omitted Time	(2	da	5.00			
Mary Morrison	Stenographer	21	da	5.00	105.00	2.65	102.35
Phyllis Smyth	Stenographer	22	da	5.00	110.00	2.90	107.10
Helen J. Connelly	Stenographer	9	da	5.00	45.00	.95	44.05
Ruth E. Boswell	Stenographer	7½	da	5.00	37.50	.57	36.93
Rita Thornton	Stenographer	21	da	5.00	105.00	2.65	102.35
Delia Rankin	Office Asst.	22	da	5.00	110.00	2.90	107.10
Dorothy Scott-Glenn	Mimeo-Stencils	20	da	5.00	100.00	2.40	97.60
Evelyn Jonas	Chf. Page & Messgr.	20	da	4.25	85.00	1.75	83.25
Marjorie Turner	Asst. Page & Messgr.	(6	da	4.00	26.00	0.00	26.00
	Overtime	(4	hrs	.50			
Ruth Lindburg	Asst. Page & Messgr.	20	da	4.00	80.00	1.40	78.60
Lillie Wittstruck	Asst. Page & Messgr.	(12½	da	4.00	67.00	.75	66.25
		(8½	da S.A.	2.00			

Name	Position	Days Hrs-Mo		Rate	Amt.	V. Tax	Amt. Paid
G. F. Martin	Chief Bill Clk.	22	da	5.00	110.00	2.90	107.10
Aly E. Druesedow	Asst. Bill Clk.	22	da	4.50	99.00	2.34	96.66
F. L. Gallagher	Asst. Bill Clk.	22	da	4.50	99.00	2.34	96.66
David D. Haney	Asst. Bill Clk.	22	da	4.50	99.00	2.34	96.66
L. G. Viox	Asst. Bill Clk.	22	da	4.50	99.00	2.34	96.66
G. H. Quackenbush	Asst. Bill Clk.	22	da	4.50	99.00	2.34	96.66
E. J. Keogh	Asst. Custodian	(22	da	4.00	159.25	5.36	153.89
	Overtime	(142½	hrs	.50			
Dudley Wright	Asst. Custodian	19	da	4.00	76.00	1.30	74.70
O. J. Burckhardt	Asst. Custodian	22	da	4.00	88.00	1.80	86.20
Ernest Fouts	Asst. Custodian	22	da	4.00	88.00	1.80	86.20
Elizabeth Sheehan	Tel. Operator	22	da	4.00	88.00	1.80	86.20
Grace Leavitt	Proofreader	210½	hrs	.60	126.30	3.71	122.59
Orma Hull Kline	Proofreader	210½	hrs	.60	126.30	3.71	122.59
		Total			5,348.85	137.55	5,211.30

(May 1 to May 26 Inc.)

SUMMARY—LEGISLATIVE EXPENDITURES

56th Session 1943

January 6th to May 26th

Account No. 1—Incidental Expense Next Regular Session		
Postage	$1,239.99	
Mailing materials (Kraft Envelopes, etc.)	235.87	
Printing Misc. Supplies	124.30	
Docket Journal	45.00	
Telephone Acc't.	23.95	
Temporary Employment (Proof Reading)	89.40	
Repairs on Typewriters	8.50	
Office Supplies	22.20	
Miscellaneous	12.01	
TOTAL		$1,801.22
Account No. E2		
Members' Salaries	36,966.67	
Victory Tax	533.20	
TOTAL		37,499.87
Account No. E3		
Members' Mileage		449.10
Account No. E4—Salaries, Officers & Employees		
Salaries	30,633.75	
Victory Tax	827.46	
TOTAL		31,461.21
Account No. E5—Incidental Expense		
Printing	9,839.96	
Telephones	352.53	
Postage & Mailing	4,484.62	
Office Supplies	1,194.76	
Travel Expense	348.33	
Typewriter Rentals and Repairs	292.00	
Flowers	27.34	
Miscellaneous	196.57	
TOTAL		16,736.11
Account No. 8		
Salary, Clerk of the Legislature, Hugo F. Srb.		
5 months	1,438.00	
Victory Tax	62.00	
TOTAL		1,500.00
GRAND TOTAL		89,447.51

(Signed) Klaver, Chairman.

Mr. Klaver moved that reading the report be dispensed with and the report printed in full.

The motion prevailed.

STATEMENT—Veto of L. B. 166

Under our constitution the Governor is called upon to express his approval or disapproval of legislation. His voice in legislation is equivalent to four votes in the legislature, that is, where a vote of 22 may pass a bill, it takes 26 to pass the bill over a veto.

Inasmuch as 29 voted for the bill, it is fair to assume that this bill could be passed over the veto. If this were an ordinary legislative issue that step would be indicated. But this is not such an issue.

This bill proposes to equip the Governor with authority to initiate a program for the development of agricultural industry in the state. He states his conclusion that the plan proposed is impractical.

Manifestly with the Governor in this frame of mind it would be futile to hope for success with the administration of the act in his hands. Under those circumstances the responsibility for failure to make provision for Nebraska to take full advantage of the opportunities which could be ours must rest upon the Governor.

The suggestion that a conference will be called is probably a part of the general movement to rely on federal activities rather than to seek means of building strength into our own state economy. Whatever that may produce remains to be seen. The choice rests with the Governor and he has chosen.

(Signed) C. Petrus Peterson
J E Conklin

MOTION—To Suspend Rules

Mr. President: I move that the rules be suspended and that we consider on Third Reading for final passage the following bills: 138, 384, 437, 420, 153, 255, 248 and 295.

(Signed) Crosby

The motion prevailed with 34 ayes, no nays, 9 not voting.

BILLS ON THIRD READING

The following bills were read the third time and put upon passage:

LEGISLATIVE BILL 138.

A bill for an act to amend sections 33-120 and 47-111, C. S. Supp., 1941; relating to jails and fees of sheriffs; to provide for the manner of determination of payment for keeping of all prisoners; to define who are state prisoners; to provide for the care of prisoners in counties having a population of two hundred thousand or more inhabitants; to provide that fees for the care of state prisoners in such counties shall inure to the county, be paid to the county treasurer and be credited to the general fund; to provide for the designation of some person, other than the sheriff or any deputy sheriff, in counties having a population of over two hundred thousand, by the county board to purchase certain supplies for jails and providing certain duties for such person; to prescribe certain duties of sheriffs and jailers; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crossland
Cullingham
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Neubauer
Peterson
Raecke
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 11:

Asimus
Crosby
Dooley
Mueller
Norman
Ogden
Osborne
Rakow
Reavis
Sorrell
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 384.

A bill for an act relating to schools in cities having or hereafter attaining a population of forty thousand inhabitants or more; to define terms; to regulate the tenure of employment of teachers; to require evidence of professional growth, as herein set forth, as to certain teachers; to provide for the making and canceling of contracts, indefinite as to length of time of duration; and to provide the manner and method of making, keeping in force and canceling such contracts.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 27:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Heiliger
Klaver
Lee
Matzke
Mekota
Norman
Osborne
Peterson
Raecke
Sorrell
Tvrdik
Weborg

Voting in the negative, 5:

Garber
Greenamyre
Hanna
Mischke
Mueller

Not voting, 11:

Asimus
Carmody
Hubka
Jeffords
Jeppesen
Neubauer
Ogden
Rakow
Reavis
Thomas
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 437. With emergency clause.

A bill for an act to amend section 79-2203, C. S. Supp., 1941, and sections 79-2204 and 79-2205, Compiled Statutes of Nebraska, 1929, in regard to the State Board of Vocational Education; to provide for the membership and officers of this board; to provide for the payment of the expenses of the members of the board; to provide for the powers and duties to be exercised by the board; to provide for the appointment of an assistant executive secretary of such board to be called Director of Vocational Education; to provide for term of office, salary, powers and duties of such director; to repeal original section 79-2203, C. S. Supp., 1941, and sections 79-2204 and 79-2205, Compiled Statutes of Nebraska, 1929; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 31:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Matzke
Mischke
Mueller
Neubauer
Osborne
Peterson
Reavis
Sorrell
Thomas
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 12:

Asimus
Carmody
Conklin
Garber
Hubka
Lee
Mekota
Norman
Ogden
Raecke
Rakow
Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 420.

A bill for an act to amend sections 26-904, 27-401, 29-1304, 33-122, 33-131, 33-134, and 43-207, Compiled Statutes of Nebraska, 1929, section 33-110, Compiled Statutes of Nebraska, 1929, as amended by legislative bill 163, fifty-sixth session of the Nebraska State Legislature, 1943, and sections 29-1803, 29-2210, 33-111, 33-119, 33-129, and 39,1313, C. S. Supp., 1941, relating to salaries of county officers and deputies; providing for classification of counties for the purpose of fixing salaries of county officers and deputies; providing for the salaries therein; providing for traveling expenses; providing for deputies, clerks, and assistants and their salaries; providing that the provisions of this act shall not apply to incumbents in office; and to repeal original sections 26-904, 27-401, 29-1804, 33-122, 33-131, 33-134, and 43,207, Compiled Statutes of Nebraska, 1929, section 33-110, Compiled Statutes of Nebraska, 1929, as amended by legislative bill 163, fifty-sixth session of the Nebraska State Legislature, 1943, and sections 29-1803, 29-2210, 33-111, 33-119, 33-129, and 39-1313, C. S. Supp., 1941, and also to repeal section 33-133, Compiled Statutes of Nebraska, 1929, and sections 33-109, 33-112, 33-121, and 33-130, C. S. Supp., 1941.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 33:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Carmody
Conklin
Craven
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Mischke
Mueller
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 3:

Garber
Greenamyer
Neubauer

Not voting, 7:

Asimus
Burnham
Crosby
Jeffords
Matzke
Mekota
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Monday, May 24, 1943, at 1:15 p. m.

L. B. 50
L. B. 139
L. B. 293
L. B. 328
L. B. 339
L. B. 413
L. B. 414
L. B. 145
L. B. 244
L. B. 363

Correctly Enrolled

L. B. 71
L. B. 332

(Signed) James H. Anderson, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 332
L. B. 71

MESSAGE FROM THE GOVERNOR

Veto—Legislative Bill 372

May 27, 1943.

To the President, the Speaker, and Members
of the Legislature:

Gentlemen:

I am returning without my signature Legislative Bill No. 372.

This bill, if enacted into law, would be the first step towards the exemption from the payment of gasoline tax of gasoline which is used for industrial purposes. Two years ago the Legislature exempted agricultural gasoline but at that time they refused to exempt the gasoline used by railroad companies, cleaning establishments, stationary engines and for all other industrial purposes. I feel that L. B. 372 is a precedent which should not be established.

Respectfully, submitted,
(Signed) Dwight Griswold,
Governor.

BILLS ON THIRD READING (Continued)

LEGISLATIVE BILL 153.

A bill for an act relating to cities of the first class having more than five thousand and less than twenty-five thousand inhabitants, cities of the second class and villages; to provide for the making and adoption of an annual budget to cover all expenditures and anticipated income of the municipality for each fiscal year, beginning in 1944, and the effect and operation thereof; to provide for published notice of and public hearing on said annual budget; to provide for the appropriation of the funds to be raised under said budget to the expenses and for the purposes of the municipality; to provide for the amount of the appropriation in the event of the failure of the appropriating body to act; to prohibit contracts and expenditures not provided for in said budget; to provide for additional appropriations and temporary loans in cases of emergencies or other special circumstances or conditions set forth in this act and for payment thereof by a tax levy or otherwise; to provide penalties and liabilities for violation of said act; to define terms; to prescribe certain duties of the Auditor of Public Accounts; to provide a saving clause; to provide how this act shall be construed; and to repeal or supersede all other acts or parts of acts not in conformity with the provisions of this act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Foster
Gantz
Greenamyre
Gutoski
Hanna
Heiliger
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 1:

Doyle

Not voting, 7:

Asimus
Brodahl
Garber
Hubka
Lee
Rakow
Reavis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Speaker Crosby Presiding

LEGISLATIVE BILL 255.

A bill for an act relating to credit unions; to enact a general credit union law for Nebraska relating to credit unions organized for the benefit of their members; to provide for their incorporation, taxation, officers, powers, duties, operations, management, control, supervision, regulation, dissolution and for the renewal, extension or restoration of their corporate existence; to provide a method whereby cooperative credit associations may avail themselves of the benefits, rights and liabilities of this law; to limit the loans of such associations to members; to define certain terms used in this act; to prescribe certain duties and powers of the Department of Banking in regard thereto; to provide for the manner of construction of laws conflicting with any part of this act; and to provide for penalties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 2:

Asimus
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 419.

A bill for an act to amend sections 45-101, 45-102 and 45-132, C. S. Supp., 1941, relating to interest; to exclude from the operation of the above specified sections licensees operating under a license issued by the Department of Banking under laws specifically permitting licensees to charge a greater rate of interest; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Gutoski
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 4:

Carmody
Garber
Greenamyre
Osborne

Not voting, 4:

Asimus
Craven
Jeffords
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

President Johnson presiding

LEGISLATIVE BILL 248.

A bill for an act to amend sections 70-703 and 70-704, C. S. Supp., 1941, relating to public power and public power and irrigation districts; to provide that where any such district operates or is interested by ownership, lease or otherwise in the operation of electric power plants, distribution systems or transmission lines in more than fifty counties of the state, an amendment to the petition for the creation of the district shall be filed to provide for a board of directors consisting of seven members to be elected by districts herein set forth and in the order, manner and form prescribed herein; to prescribe the procedure for causing such amendment to be made; to provide for dissolution and liquidation of such a district for failure to file such an amendment; to provide the manner of increase or reduction of membership on the board of directors of such a district to seven and the election to membership on the board of directors of such a district; to provide representation on the board of directors of such a district from districts herein prescribed; to prescribe who are qualified voters for the within designated purposes; to provide for appointments to the board of directors of such a district, under certain prescribed conditions, by the Governor; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Anderson, D. S.
Bowman
Brodahl
Burnham
Carmody
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 5:

Anderson, James H.
Asimus
Lee
Mekota
Rakow

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 295. With emergency clause.

A bill for an act relating to public health and to the control of preventable diseases; to authorize counties to establish and maintain local health departments therein; to provide for ratification and approval of agreements establishing health departments in counties having less than sixty thousand inhabitants by a vote of the electors; to provide for termination of health departments established under this act by a vote of the electors; to authorize the levy and collection of taxes therefor; to authorize two or more counties or city and county to contract for joint or concurrent action to carry out the purpose of this act; to authorize the drawing of warrants on county funds and approval of claims; to provide for keeping of records; to provide for salaries; to provide for the organization and the powers and duties of such health departments and certain of the within provided for officers, health directors and employees; to state validity clause; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 34:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Hanna
Heiliger
Hubka
Jeppesen
Klaver
Matzke
Mekota
Mischke
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 5:

Garber
Greenamyre
Jeffords
Lee
Mueller

Not voting, 4:

Asimus
Carmody
Gutoski
Rakow

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 280
L. B. 229
L. B. 195
L. B. 123
L. B. 296
L. B. 287
L. B. 230
L. B. 43
L. B. 431
L. B. 327

Approved by the Governor

May 27, 1943

To the President, the Speaker and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 72
L. B. 225
L. B. 261
L. B. 286
L. B. 337
L. B. 415
L. B. 440

Respectfully submitted
(Signed) Jean Spencer
Acting Sec'y. to the Governor

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Friday, May 28, 1943 at 10:30 a. m.

L. B. 43
L. B. 123
L. B. 195
L. B. 229
L. B. 230
L. B. 287
L. B. 296
L. B. 327
L. B. 431

Correctly Enrolled

L. B. 96
L. B. 255
L. B. 437
L. B. 248
L. B. 384
L. B. 420
L. B. 419
L. B. 153

(Signed) James H. Anderson, Chairman.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 96	L. B. 437	L. B. 384	L. B. 419
L. B. 255	L. B. 248	L. B. 420	L. B. 153

Legislative Resolutions 40, 41, 42.

Approved by the Governor

May 28, 1943

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz:

L. B. 43	L. B. 176	L. B. 230	L. B. 327
L. B. 123	L. B. 214	L. B. 280	L. B. 431
L. B. 145	L. B. 229	L. B. 296	

Respectfully submitted,
(Signed) Jean Spencer
Acting Sec'y. to the Governor.

Message from the Governor

Appointments

May 28,1943.

To the President, the Speaker, and
Members of the Legislature.

Gentlemen:

For the information and consideration of your honorable body, I am pleased to advise you that I have appointed the Honorable Earl L. Meyer of Alliance as a member of the Nebraska Public Library Commission for the term expiring June 8, 1945. I also am re-appointing Thomas E. Adams of Beatrice to the Commission for the term expiring June 8, 1948.

Respectfully submitted.
(Signed) Dwight Griswold,
Governor of Nebraska.

Mr. Gantz moved that the rules be suspended and that the appointments be considered at once.

The motion prevailed with 40 ayes, no nays, 3 not voting.

Messrs. Tvrdik, Gantz and Hubka moved that the appointments be confirmed immediately.

Vote on Mr. Meyer

Voting in the affirmative, 39:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 4:

Asimus
Carmody
Lee
Rakow

Having received a majority of the votes of all the members, the President declared the appointment of Mr. Meyer confirmed.

Vote on Mr. Adams

Voting in the affirmative, 40:

Anderson, D. S.
Anderson, James H.
Bowman
Brodahl
Burnham
Conklin
Craven
Crosby
Crossland
Cullingham
Dooley
Doyle
Foster
Gantz
Garber
Greenamyre
Gutoski
Hanna
Heiliger
Hubka
Jeffords
Jeppesen
Klaver
Lee
Matzke
Mekota
Mischke
Mueller
Neubauer
Norman
Ogden
Osborne
Peterson
Raecke
Reavis
Sorrell
Thomas
Thompson
Tvrdik
Weborg

Voting in the negative, 0.

Not voting, 3:

Asimus	Carmody	Rakow

Having received a majority of the votes of all members, the President declared the appointment of Mr. Adams confirmed.

RESOLUTIONS

LEGISLATIVE RESOLUTION 43. Memorial, Charles Ellis Byars

Introduced by Harry E. Gantz, Daniel Garber, E. M. Neubauer, Committee.

Charles Ellis Byars, a member of the Nebraska House of Representatives from 1925 to 1927, died February 2, 1943, at the age of seventy-five years. Mr. Byars was born at Valley, Nebraska, on May 28, 1867 and spent his entire life in that community. In addition to his services in the Legislature he was for thirty-three years Publisher of the Valley Enterprise and had been active in civic, community and church circles.

WHEREAS, the name of Charles Ellis Byars was inadvertently omitted from Legislative Resolution No. 42 of the 1943 Legislative Session; and

WHEREAS, it is the desire of this body to pay its respects to the farmer members who have passed away since the adjournment of the last Legislative Session;

NOW, THEREFORE, BE IT RESOLVED BY THE FIFTY-SIXTH SESSION OF THE NEBRASKA LEGISLATURE:

1. That we pause in our deliberations for a moment in memory of Mr. Byars, who as a pioneer citizen, as a civic leader, and as a legislator, contributed to the development of our state and the institutions we cherish.

2. That this resolution be spread at large on the Journals of this Legislature, and that a copy, suitably engrossed, be prepared and sent by the Clerk of the Legislature to the bereaved family of the deceased as an expression of our respect for his memory.

Mr. Gantz moved that the rules be suspended and the resolution adopted.

The motion prevailed with 29 ayes, no nays, 4 not voting.

The assembly paused a moment to pay silent tribute to the departed member.

MOTION—Thanks to Bill Drafter and Attorney

Mr. President: I move that the Legislature extend a vote of thanks to Walter James of McCook and Clarence M. Davis of Ord in appreciation of the splendid and outstanding manner in which they have discharged their respective duties as Bill Drafter and Attorney for the Committee on Enrollment and Review.

(Signed) Matzke, Gutoski

The motion prevailed.

SELECT COMMITTEE REPORT

Intergovernmental Cooperation

Mr. President: Your committee selected to attend the regional conference of the Council of State Governments held at Chicago beg leave to report.

The Conference was attended by delegations from the midwestern states totaling about 250. The sessions were devoted to the serious and constructive consideration of the problems of the states in this region in the post war period. There was no evidence of any purpose to attempt any determination of what all of these problems will be. On the other hand there was a unanimity of opinion that we know now with certainty what some of the problems will be and that we are not discharging our full duty unless we do now what it is necessary to do if we shall be prepared to deal effectively with those known problems.

Among these problems are:

1. Immediate employment of those who return from the military service in good physical and mental health.

2. Employment for the returning "industrial soldier" who has been employed in essential war production.

3. Rehabilitation of disabled service men.

4. Rapidity of conversion of war industries to production of civilian goods.

5. Effective steps to regain the rights of the states voluntarily surrendered to federal authority during the war.

6. Preparation for demands that the states assume a larger share in the task of maintaining social security because of the staggering load which the federal government will be required to carry as a result of deficit financing of the war.

7. Problems incident to education in manual skills to meet demands of our post war economy.

In the matter of employment it was recognized that industrial conversion to peace time production will require at least a year. To meet the employment problems during that year it was the consensus of opinion that we choose now whether we shall have another P.W.A. period when we decide whether we shall create reserves for state and municipal projects to take up the slack. Reports indicated that many of the states and cities are building very substantial reserves for that purpose. It was also indicated that engineering work is currently done to be ready immediately to begin work on such projects. No one desires to again see what was seen a quarter of a century ago, ex-service men peddling apples on street corners for lack of a job.

Rehabilitation plans do not seem very definite in outline. There is apprehension that in our failure to function as states, federal agencies will find a further opportunity to establish educational activities under federal control.

That a program exists quite apart from the war emergency to federalize education is generally accepted as a fact. The economic problems of finding requisite skills for the highly mechanized post war industries are readily foreseeable. Those who seek federalization of education will quickly take advantage of the absence of state leadership. This will be particularly true if our war economy will result in lowering our present none too high educational standards. Whether it will take the form of subsidization of the state system or the bolder form of an outright federal system of education will perhaps depend on how weak the state system of education is at the end of the war.

If the federal government were to hand back to the states the economic problems of social security for the aged and devote present assistance funds to education of the youth the job would be all but finished.

The chief recommendations resulting from the session were:

1. Build reserves now.

2. Plan rehabilitation programs now.

3. Protect local schools against federalization.

The following report of the round table session was made and adopted:

".....It is the consensus of this meeting, and it was regularly moved and seconded, that we recommend to the Chairman that he appoint a Committee of Five to work with similar committees, from the East, the South, and the West, to work on a suggested program for postwar reconstruction and development, for submission to the States for their consideration.

"It was also suggested, and regularly moved, and seconded and adopted unanimously, that the postwar problems can only and should be considered by Industry, Labor, and Government, and Agriculture, so the postwar plans should encompass the needs of all. The major postwar problem for which a solution must be found is the problem of full employment of all who want to work.

"And, it was further suggested there is no ready, immediate solution that can be found today, but it is of the utmost importance that all levels of government, industry, labor, and agriculture begin now, in an orderly and systematic fashion, to explore and study all of these problems incident to the return of peace, in order that, as has been so often said in this meeting, that after the winning of the war we shall also win the peace here at home."

Your committee feels that the subject covered by the conference is of major importance to the Legislative, and Executive branch of the government as well as all people of the State of Nebraska and suggest that a more thorough knowledge be had by the members of the Legislature, the Executive branch of the government, and the people of the State of Nebraska that the problems involved may be more equitably met when the time comes.

Respectfully submitted,
(Signed) C. Petrus Peterson,
Martin J. Mischke,
H. G. Greenamyre.

Supplemental Report

This supplemental report is made by the members of the committee, Martin J. Mischke and H. G. Greenamyre, in view of the fact a member of the committee, Senator C. Petrus Peterson, was one of the main speakers at the conference and we feel that a supplemental report should be made to the Legislature calling their attention to the very able way in which Senator Peterson represented the Legislature and the people of the State of Nebraska at the conference.

Senator Peterson spoke to the conference in the afternoon of the first day of the session on the subject, "Post-War Problems Facing the State Legislatures". We feel that the response of the conference to Senator Peterson's remarks was far greater than that of any other legislator or speaker at the conference. We also feel that Senator Peterson's address was outstanding, that it contains much which the Legislature of this state and its people can use to guide them in adopting governmental principles and policies.

We have secured and caused to be placed upon the desks of each member of the Legislature a copy of Senator Peterson's address and recommend to you that you read and study the same.

Respectfully submitted,
(Signed) Martin J. Mischke,
H. G. Greenamyre

MOTION—Compilation of Rules

Mr. President: I move that the Clerk of the Legislature be authorized and directed to recompile the rules, and that for such purpose he be authorized and directed to rearrange, subdivide and renumber the various rules and sections, and to add such headings, cross-references and annotations, and index as he may deem necessary to make said rules more available; and that the Clerk have said recompiled rules printed for the use of the next session of the Legislature.

(Signed) Sorrell

The motion prevailed.

Communication

Letters of appreciation were read from George C. Mason, who is ill at his home, and from J. W. Lundy, Sergeant-at-arms.

REPORT—Legislative Council

The Legislative Council hereby reports the election of the following officers at the organization meeting held May 27, 1943:

Chairman: Stanley A. Matzke

Vice Chairman: John E. Mekota

(Signed) Roger V. Shumate, Secretary

Expression of Appreciation

Mr. President: The elective officers and employees of the fifty-sixth session hereby express their appreciation for the privilege of serving this Legislature and for the courtesies extended to them by each and every member of the assembly.

By Hugo F. Srb,
Clerk of the Legislature

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Friday, May 28, 1943, at 10:30 a.m.

L. B. 214 L. B. 280

(Signed) Bowman, Vice Chairman

MOTION—Session Laws for Members of Press

Mr. President: I move that the State Librarian be directed to furnish to each authorized member of the press assigned to the Legislature for the fifty-sixth session, a copy of the Session Laws of Nebraska when printed.

(Signed) Norman

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Friday, May 28, 1943, at 11:20 a.m.

L. B. 96	L. B. 248	L. B. 384	L. B. 420
L. B. 153	L. B. 255	L. B. 419	L. B. 437

Correctly enrolled

L. B. 138	L. B. 295

(Signed) James H. Anderson, Chairman

Approved by the Governor

May 28, 1943.

To the President, the Speaker, and Members of the Legislature.

Gentlemen:

I have been requested by Governor Dwight Griswold to inform your honorable body that he has this day approved the following bills, viz.:

L. B. 153	L. B. 255	L. B. 419	L. B. 437
L. B. 195	L. B. 287	L. B. 420	

Respectfully submitted,
(Signed) Jean Spencer,
Acting Secretary to the Governor.

President Signs

While the Legislature was in session and capable of transacting business, the President signed:

L. B. 138	L. B. 295

MOTION—Committee to Notify Governor

Mr. President: I move that a committee of seven be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn; and ask him if he has any further message for the Legislature.

(Signed) Gantz

The motion prevailed.

The President appointed the following members to serve on said committee:

Messrs. Crosby, Bowman, Greenamyre, Gantz, Weborg, Dooley and Norman.

The committee withdrew to the Governor's office.

MOTION—Approval of Journal

Mr. President: I move that the Legislative Journal for the One Hundred Third day be approved as prepared by the Clerk.

(Signed) James H. Anderson

The motion prevailed.

REPORT—Committee to Notify Governor

The Committee returned with Governor Dwight Griswold, who was escorted to the rostrum and who delivered a brief address to the members of the Legislature.

MOTION—Vacation for Clerk

Mr. President: Inasmuch as our Clerk has given the legislature efficient and cheerful service for many years past, and has had no vacation since 1937, I move that the Clerk, Hugo F. Srb, be directed to take a vacation of two weeks, with pay, during this year.

(Signed) Greenamyre

The motion prevailed.

STANDING COMMITTEE REPORTS

Enrollment and Review

Presented to the Governor for Approval

Friday, May 28, 1943 at 12:25 p.m.

L. B. 71	L. B. 332	L. B. 138	L. B. 295

(Signed) James H. Anderson, Chairman

Adjournment

Mr. President: I move that the fifty-sixth session of the Legislature, having finished all business before it, now (12:32 p.m.) adjourn sine die.

(Signed) Neubauer

The motion prevailed.

Hugo F. Srb
Clerk of the Legislature.

Certificate

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Fifty-sixth Session of the Legislature of the State of Nebraska convened and held in the city of Lincoln, State of Nebraska, January 5, 1943 to May 28, 1943.

(Signed) Hugo F. Srb
Clerk of the Legislature

LEGISLATIVE BILLS

Approved After Adjournment

The following Legislative Bills were approved by the Governor after adjournment:

May 29, 1943

Legislative Bill 71
Legislative Bill 295
Legislative Bill 332

June 1, 1943

Legislative Bill 138
Legislative Bill 248
Legislative Bill 384

June 2, 1943

Legislative Bill 96

LEGISLATIVE BILLS ENACTED INTO LAW

Fifty-sixth Session

L. B.	4	Craven. Providing for special levy for sanitary drainage districts
L. B.	5	Matzke. Establishing Sundry Claims Board
L. B.	7	Matzke. Relating to public warehouses
L. B.	12	Matzke. Authorizing sale of personal property belonging to common school fund
L. B.	19	Reavis et al. Relating to federal grants and loans of property for war and defense purposes
L. B.	20	Reavis et al. Regulating transportation of motor vehicle fuels
L. B.	21	Greenamyre. Relating to salaries of superintendents of state hospitals for insane
L. B.	22	Greenamyre. Relating to bonds of county officers
L. B.	23	Greenamyre. Relating to operation of motor vehicles
L. B.	24	Greenamyre. Relating to junior colleges
L. B.	25	Sorrell. Relating to vital statistics
L. B.	26	Conklin. Relating to loans by banks
L. B.	28	Foster et al. Relating to insurance and retirement benefits in a municipal university
L. B.	29	Tvrdik et al. Relating to division of motor vehicle registration fees
L. B.	30	Tvrdik et al. Relating to housing authorities
L. B.	31	Gutoski et al. Relating to tax receipts
L. B.	32	Tvrdik et al. Relating to collection of taxes
L. B.	33	Ogden. Relating to dividends and surplus of banks
L. B.	34	Ogden. Relating to loans by banks and security therefor
L. B.	35	Hanna. Appropriation for brand book fund
L. B.	37	Matzke. Relating to execution of legal instruments
L. B.	38	Raecke et al. Relating to foreclosure of real estate tax liens
L. B.	39	Raecke, Rakow. Relating to fees of county clerk as ex officio register of deeds
L. B.	40	Mischke et al. Relating to premarital examinations and public health
L. B.	41	Mischke et al. Relating to prenatal examinations

L. B.	42	Raecke. Relating to testimony of husband and wife
L. B.	43	Lee. Relating to personal loans
L. B.	44	Greenamyre, Rakow. Relating to delinquent personal taxes
L. B.	45	Greenamyre. Relating to state assistance and poll taxes
L. B.	46	Greenamyre. Small estates act
L. B.	50	Peterson. Uniform partnership act
L. B.	51	Committee on Appropriations. Appropriation for incidental expenses of Legislature
L. B.	52	Committee on Appropriations. Appropriation for salaries of members of the Legislature
L. B.	55	Gantz. Relating to collection of victory tax
L. B.	56	Cullingham. Relating to the Nebraska State Guard
L. B.	57	Crosby. Relating to salaries in Department of Banking
L. B.	58	Crosby. Relating to investments of building and loan associations
L. B.	59	Greenamyre. Relating to estates of minors and incompetents
L. B.	60	Klaver. Relating to use of gasoline highway fund
L. B.	61	Mekota. Relating to contracts and estimates in cities of second class and villages
L. B.	62	Mekota. Relating to election of trustees in cities of second class and villages
L. B.	66	Crosby. Relating to stolen rubber tires
L. B.	67	Crosby. Relating to legal newspapers
L. B.	69	Mueller. Relating to funds of cities of second class and villages
L. B.	70	Mueller. Relating to investment of surplus public funds
L. B.	71	Garber. Relating to franchises and contracts of cities of the second class and villages
L. B.	72	Garber. Relating to sale or leasing of light or power plants and systems
L. B.	73	Mueller. Relating to the manufacture of synthetic rubber
L. B.	74	Asimus. Relating to the preservation of fish life
L. B.	75	Greenamyre. Relating to staff officers of the militia
L. B.	79	Anderson, James H. Relating to fees of county officers and employees
L. B.	80	Anderson, James H. Relating to duties of prosecuting attorney
L. B.	82	Anderson, James H. Relating to jurors and jury service
L. B.	83	Anderson, James H. Relating to terms of county court
L. B.	84	Thompson. Relating to the formation of school districts
L. B.	85	Raecke, Greenamyre. Relating to rentals from saline lands
L. B.	86	Neubauer et al. Ratification of Republican River compact
L. B.	89	Mekota. Relating to taxing of property in estates
L. B.	90	Rakow. Nebraska brand inspection area
L. B.	95	Committee on Appropriations. Appropriation for salaries of state officers

L. B. 96	Committee on Appropriations. Appropriation for state government
L. B. 97	Matzke. Relating to investment of bonds by Board of Educational Lands and Funds
L. B. 99	Doyle. Relating to duties of State Board of Agriculture
L. B. 100	Bowman et al. Creating State Real Estate Commission
L. B. 101	Anderson, James H. et al. Relating to elections and conventions
L. B. 102	Anderson, James H. et al. Relating to civil service for paid fire departments
L. B. 106	Committee on Appropriations. Relating to salaries of heads of state departments
L. B. 107	Gantz. Relating to dissolved corporations
L. B. 110	Reavis. Relating to collection of personal taxes
L. B. 112	Peterson. Relating to appointment of electors for president and vice president
L. B. 113	Committee on Public Works. Relating to pipe lines for oil and gas
L. B. 116	Gutoski, Tvrdik. Relating to employment of railroad telegraphers
L. B. 123	Sorrell. Relating to salaries of officers of cities and villages
L. B. 125	Committee on Agriculture. Relating to the manufacture and sale of frozen desserts
L. B. 129	Asimus. Relating to distribution of gasoline tax fund
L. B. 133	Hanna. Relating to recording of cattle brands and marks
L. B. 138	Gutoski. Relating to jails and fees of sheriffs
L. B. 139	Rakow et al. Relating to licenses to practice the healing arts
L. B. 140	Cullingham. Relating to bonds and joint control funds
L. B. 141	Heiliger. Appropriation for State Real Estate Commissioner fund
L. B. 145	Committee on Judiciary. Relating to rules of the supreme court
L. B. 147	Garber. Providing for levy to reimburse permanent school fund
L. B. 149	Ogden et al. Relating to license fees for certain professions
L. B. 150	Doyle. Relating to sale of fireworks
L. B. 152	Thompson, Rakow. Relating to the construction and repair of sidewalks
L. B. 153	Raecke et al. Relating to annual budget for cities and villages
L. B. 154	Raecke. Relating to municipal tax levies
L. B. 155	Sorrell. Relating to road districts and overseers
L. B. 157	Craven. Relating to audits of sanitary drainage districts
L. B. 158	Gantz. Relating to rules of the road for vehicles
L. B. 160	Gantz. Relating to liquor control

L. B. 162	Craven, Peterson. Relating to dockets of district courts
L. B. 163	Peterson et al. Relating to district court bailiffs
L. B. 165	Craven. Relating to complaints to keep the peace
L. B. 167	Dooley et al. Relating to state zoning agency
L. B. 170	Crossland. Relating to sewer maintenance and repair
L. B. 171	Anderson, James H. Relating to title of property owned by irrigation districts
L. B. 172	Anderson, James H. Relating to delegates to national conventions
L. B. 174	Carmody et al. Relating to game and fish regulations
L. B. 176	Hubka. Relating to small loans
L. B. 177	Thomas. Appropriation for premiums on bonds of state treasurer and deputy
L. B. 178	Lee. Relating to regulations for foreign corporations
L. B. 179	Committee on Public Works. Relating to highway regulations for motor vehicles
L. B. 180	Greenamyre. Relating to transfer of school children to other districts
L. B. 182	Gantz. Relating to powers of cities of second class and villages
L. B. 184	Gutoski, Tvrdik. Relating to county boards and purchasing agents
L. B. 185	Crosby et al. Relating to prison labor
L. B. 186	Peterson. Authorizing conveyance of public lands
L. B. 187	Sorrell. Relating to aviation fields
L. B. 188	Gantz. Appropriation, tuition for children of soldiers, sailors and marines
L. B. 191	Hubka, Crosby. Relating to county civilian defense
L. B. 194	Conklin, Crosby. Relating to transportation of motor vehicle fuels
L. B. 195	Peterson. Relating to creation and discontinuance of sanitary drainage districts
L. B. 196	Committee on Banking, Commerce and Insurance. Relating to former depositors guaranty fund
L. B. 197	Peterson. Relating to placement and unemployment insurance law
L. B. 201	Craven et al. Appropriation for purchase of land for men's reformatory
L. B. 204	Cullingham et al. Creating peoples power commission
L. B. 205	Hubka. Relating to cities under commission form of government
L. B. 206	Raecke. Relating to foreclosure of tax liens
L. B. 209	Gantz. Relating to estates of missing persons
L. B. 211	Norman et al. Relating to a retirement system for employees of school districts in metropolitan cities
L. B. 213	Gantz. Relating to leasing of school lands

L. B. 214	Crosby, Carmody. Relating to title and registration of motor vehicles
L. B. 215	Thompson. Relating to taxation of fire insurance companies
L. B. 219	Tvrdik, Gutoski. Creating a boiler inspection department
L. B. 221	Committee on Appropriations. Relating to duties of state purchasing agent
L. B. 223	Rakow. Relating to assets of decedents' estates
L. B. 224	Thomas et al. Relating to formation of school distircts
L. B. 225	Jeffords, Weborg. Relating to county high schools
L. B. 229	Heiliger. Relating to sale of personal property for services performed
L. B. 230	Raecke, Klaver. Relating to occupational diseases under Workmen's Compensation Act
L. B. 231	Craven. Relating to duties of trustees of sanitary drainage districts
L. B. 232	Reavis. Relating to per capita tax for state assistance
L. B. 236	Brodahl et al. Relating to free high school tuition
L. B. 238	Heiliger, Craven. Relating to salaries in office of register of deeds
L. B. 239	Gutoski, Ogden. Relating to stop orders to banks
L. B. 242	Conklin. Relating to duties of tax commissioner
L. B. 244	Gutoski et al. Relating to authority of certain counties to borrow money
L. B. 246	Hubka et al. Relating to standard weight for bread
L. B. 248	Craven et al. Relating to organization of public power and irrigation districts
L. B. 249	Burnham. Relating to errors in tax lists
L. B. 251	Weborg. Relating to frozen food locker plants
L. B. 252	Hanna, Jeffords. Relating to Nebraska brand committee
L. B. 255	Peterson, Osborne. Relating to organization of credit unions
L. B. 256	Greenamyre. Appropriation from special fee fund to general fund
L. B. 259	Committee on Public Works. Providing for the construction of flight strips and roads
L. B. 261	Cullingham et al. Relating to retirement and insurance benefits
L. B. 263	Foster, Klaver. Relating to discrimination in the employment of labor
L. B. 264	Crosby. Relating to acquisition of school lands by eminent domain
L. B. 265	Hanna. Relating to sale of school lands
L. B. 266	Raecke. Relating to apportionment of school funds
L. B. 267	Dooley. Relating to transfer of school lands
L. B. 269	Peterson. Relating to salvage materials in highway department
L. B. 271	Hubka. Relating to eradication of bindweed

L. B. 277	Thomas et al. Relating to old age assistance
L. B. 280	Sorrell, Craven. Relating to corporation taxes
L. B. 282	Crosby. Relating to publication of legal notices
L. B. 284	Anderson, D. S., et al. Relating to agricultural testing centers
L. B. 285	Peterson, Gantz. Relating to tax and levy on corporate stock
L. B. 286	Greenamyre et al. Relating to public power and irrigation districts
L. B. 287	Mueller. Relating to unlawful discrimination in business
L. B. 293	Committee on Banking, Commerce and Insurance. Relating to intrastate motor carriers
L. B. 294	Tvrdik et al. Relating to tax on motor vehicle fuels
L. B. 295	Peterson, Crosby. Relating to county health departments
L. B. 296	Craven. Relating to industrial loan and investment companies
L. B. 297	Tvrdik et al. Relating to emergency tax levy
L. B. 299	Gantz. Relating to determination of heirship
L. B. 300	Lee, Greenamyre. Relating to aviation fields
L. B. 301	Committee on Agriculture. Relating to dairy industry
L. B. 303	Heiliger. Relating to absent and disabled voters
L. B. 304	Gantz. Relating to Torrens Title System
L. B. 305	Gantz. Relating to interurban railroads
L. B. 306	Gantz. Relating to forest reserves for cities and towns
L. B. 307	Gantz. Relating to scavenger tax sales
L. B. 308	Gantz. Relating to county foundations and community trusts
L. B. 309	Crossland. Relating to foreclosure of tax liens
L. B. 314	Sorrell. Relating to county bridges
L. B. 316	Crossland et al. Relating to soldiers' and sailors' home
L. B. 318	Anderson, James H. Relating to state hospital for insane
L. B. 321	Brodahl. Relating to tax levy in defense area
L. B. 322	Peterson et al. Relating to stenographic court reporters
L. B. 327	Peterson, Doyle. Relating to pensions for firemen
L. B. 328	Peterson. Relating to notaries public
L. B. 329	Peterson. Relating to adoption of children
L. B. 331	Jeppesen, Mueller. Relating to transfer of inmates in penal institutions
L. B. 332	Jeppesen. Relating to cooperative credit associations
L. B. 334	Foster, Neubauer. Relating to the prevention and control of disease
L. B. 335	Hubka. Relating to boarding homes for aged and infirm
L. B. 337	Lee. Relating to internal improvements
L. B. 339	Lee. Relating to offices of clerk and treasurer
L. B. 351	Cullingham. Relating to standard weights and measures
L. B. 352	Cullingham. Relating to fiduciaries' emergency act

L. B. 353	Tvrdik et al. Relating to metropolitan water districts
L. B. 355	Thomas. Relating to life insurance
L. B. 363	Mekota. Relating to legal investments by fiduciaries
L. B. 364	Gutoski. Relating to forcible entry and detention
L. B. 365	Heiliger. Relating to railroad signals
L. B. 366	Weborg, Burnham. Relating to teachers' contracts
L. B. 368	Craven. Relating to occupation tax on corporations
L. B. 369	Craven. Relating to inheritance tax
L. B. 384	Klaver et al. Relating to tenure of teachers
L. B. 385	Greenamyre. Relating to state normal schools
L. B. 386	Mischke. Relating to transmission lines on highways
L. B. 387	Matzke. Relating to county road systems
L. B. 389	Hanna et al. Relating to officers of the penitentiary
L. B. 391	Committee on Judiciary. Relating to county attorneys
L. B. 394	Burnham. Relating to funding bonds of political subdivisions
L. B. 396	Anderson, James H. Relating to liability created by federal statute
L. B. 400	Gutoski, Tvrdik. Relating to non-profit corporations
L. B. 402	Norman et al. Relating to duties of election commissioner
L. B. 403	Tvrdik et al. Relating to motor vehicle fuels
L. B. 407	Committee on Education. Relating to superintendent of public instruction
L. B. 409	Mekota. Relating to vacancies in office
L. B. 410	Committee on Appropriations. Relating to central mailing office
L. B. 412	Committee on Appropriations. Emergency appropriation for military department
L. B. 413	Committee on Government. Relating to election boards
L. B. 414	Committee on Judiciary. Relating to oil and gas leases
L. B. 415	Committee on Judiciary. Relating to oil and gas leases by Board of Educational Lands and Funds
L. B. 416	Committee on Appropriations. Relating to audits of county offices
L. B. 418	Committee on Agriculture. Relating to eradication of noxious weeds
L. B. 419	Committee on Banking, Commerce and Insurance. Relating to rates of interest
L. B. 420	Committee on Government. Relating to county officers
L. B. 421	Committee on Appropriations. Relating to attorney general
L. B. 422	Committee on Appropriations. Relating to motor vehicle driver's license
L. B. 423	Committee on Appropriations. Emergency appropriation for Kearney State Normal
L. B. 424	Committee on Public Health and Miscellaneous Subjects and Cullingham. Relating to boarding and care of children
L. B. 425	Garber. Relating to the Nebraska State Historical Society

L. B. 428	Committee on Appropriations. Allocation of state assistance fund
L. B. 429	Committee on Revenue. Relating to tax on aircraft fuel
L. B. 431	Committee on Government. Relating to salaries of members of county boards
L. B. 432	Committee on Judiciary. Relating to Legislative Council
L. B. 433	Committee on Judiciary. Relating to 1943 Statute Commission
L. B. 434	Committee on Banking, Commerce and Insurance. Relating to bank regulations including war loan deposits
L. B. 435	Committee on Education. Relating to aggregate school tax
L. B. 436	Committee on Education. Relating to county high schools
L. B. 437	Committee on Appropriations. Relating to State Board of Vocational Education
L. B. 438	Dooley, Lee. Establishing Iowa-Nebraska boundary
L. B. 439	Greenamyre. Appropriation for salaries of employees, mileage of members and incidental expenses of Legislature
L. B. 440	Committee on Claims and Deficiencies. Appropriation for miscellaneous claims
L. B. 443	Committee on Appropriations. Appropriation for purchase of land for men's reformatory

LEGISLATIVE BILLS

By Introducers*

D. S. ANDERSON

L. B. 284, with others.

JAMES H. ANDERSON

79	Acknowledgments by county clerks
80	Duties of prosecuting attorney
81	Age majority and minority
82	Jurors and jury service
83	Terms of county court
171	Irrigation districts, property
172	Delegates to national conventions
318	State hospital for insane
396	Liability created by federal statute
397	Power districts and corporations

L. B. 101, 102, 126, 149, with others.

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*See also Bills With More Than One Introducer, page 1735, and Bills Introduced by Committees, page 1739.

TONY ASIMUS

54 Itinerant merchants
74 Preservation of fish life
129 Distribution of gasoline tax fund
193 Safety patrol
222 Motor carriers, permit fees
241 Railroad license tax
250 Ports of entry
347 Nebraska safety patrol
348 Assessors, salaries
388 Motor vehicle operators' license fund

L. B. 131, with others.

HARRY E. BOWMAN

L. B. 36, 100, 102, 246, 253, with others.

A. J. BRODAHL

235 Delinquent taxes on real estate
291 County government, commissioner system
321 Tax levy in defense area

L. B. 204, 224, 236, with others.

HARRY F. BURNHAM

175 Nomination of candidates by petition
249 Errors in tax lists
394 Funding bonds of political subdivisions

L. B. 168, 248, 366, with others .

ARTHUR CARMODY

L. B. 86, 130, 169, 173, 174, 214, 248, 278, 359, with others.

J E CONKLIN

26 Loans by banks
27 Cash reserves of banks
242 Duties of tax commissioner

L. B. 166, 194, 325, with others.

GEORGE I. CRAVEN

2 Domestic assessment companies
3 Tangible property, maximum levy
4 Sanitary drainage districts
157 Audits, sanitary drainage districts
161 Workmen's compensation
165 Complaints to keep the peace
207 Collective bargaining
231 Trustees, sanitary drainage districts
283 Public power and irrigation districts
296 Industrial loan and investment companies
341 Division of placement and unemployment insurance
342 State supplies, printing
344 Foreign insurance companies
349 Division of placement and unemployment insurance
368 Occupation tax on corporations
369 Inheritance tax

L. B. 127, 162, 163, 201, 238, 248, 273, 278, 280, 281, 322, 367, with others.

ROBERT B. CROSBY

57 Salaries in Department of Banking
58 Building and loan associations
66 Stolen rubber tires
67 Legal newspapers
68 Cemetery districts, powers, duties
77 Registration of motor vehicles
203 Nebraska merit system
264 School lands, eminent domain
282 Publication of legal notices
302 Executive heads, tenure
319 Gravel pits
320 Mobilization of firemen in time of war

L. B. 17, 18, 19, 20, 137, 169, 173, 185, 191, 194, 214, 284, 295, 343, 389, with others.

WILLIAM A. CROSSLAND

170 Sewer maintenance and repair
309 Foreclosure of tax liens
310 Cooperative credit associations

L. B. 88, 236, 273, 311, 316, with others.

SIDNEY J. CULLINGHAM

56 Nebraska State Guard
128 Housing authorities
140 Bonds, joint control funds
351 Standard weights and measures
352 Fiduciaries' emergency act
375 Housing authorities
376 Housing authorities
393 Elections, ballots

L. B. 28, 29, 31, 32, 149, 204, 210, 211, 261, 262, 372, 424, with others.

TOM DOOLEY

267 Transfer of school lands
374 Abstracters of title

L. B. 167, 204, 438, with others.

JOHN F. DOYLE

99 Board of Agriculture, state fair
121 Bounties for wild animals
150 Sale of fireworks
340 Imitation butter
346 Old age assistance
350 Salaries, deputies to state officers
383 Salaries, district court judges
399 Gambling devices

L. B. 220, 327, 381, 382, with others.

HARRY A. FOSTER

53 Employment of children
103 Hunting and fishing licenses
240 Municipal courts
279 Healing arts, license
292 Railroad employees, hospitalization
370 Election of county commissioners
371 Drunken drivers
390 Bedding and upholstered furniture

L. B. 28, 29, 30, 31, 32, 40, 41, 139, 149, 204, 211, 227, 261, 263, 274, 290, 334, 353, with others.

HARRY E. GANTZ

55	Victory tax
63	Machine guns
64	Absent and disabled voters
65	Bills of lading
107	Dissolved corporations
108	Appointment of relatives to public positions
158	Reckless driving
159	Stolen automobiles or motorcycles
160	Liquor control
181	Minors, debauching
182	Powers of cities and villages
188	Tuition for children of soldiers, sailors, marines
189	Decedents' estates
190	Tax foreclosure sale
208	Workmen's compensation claims
209	Estates of missing persons
213	Leasing of school lands
298	Drunken drivers
299	Determination of heirship
304	Torrens Title System
305	Interurban railroads
306	Forest reserves for cities and towns
307	Scavenger tax sales
308	County foundations and community trusts

L. B. 101, 111, 126, 153, 156, 167, 185, 285, 389, with others.

DANIEL GARBER

71	Franchises and contracts, cities and villages
72	Power plants, transmission lines
134	Beaver damaging real estate
147	Levy, permanent school fund
254	Motor vehicle operators' license fund
404	Tax on natural gas
425	Nebraska State Historical Society

L. B. 86, 124, 220, 257, with others.

H. G. GREENAMYRE

21	Salaries, superintendents of state hospitals
22	Bonds of county officers
23	Motor vehicles, overcrowded
24	Junior colleges
45	State assistance and poll taxes

46 Small estates act
59 Estates of minors or incompetents
75 Staff officers of the militia
78 Removal of fish, regulations
114 Employment of children
115 Insurance agents
151 Nebraska Industrial Home
180 Transfer of school children
233 Insurance agents, licenses
256 Appropriation from special fee fund
377 Abstraters of title
378 Courts, intervention
385 State normal schools
398 Claims against State
439 Appropriation for the Legislature

L. B. 40, 41, 44, 85, 166, 286, 300, 372, 403, with others.

PETER P. GUTOSKI

138 Jails, fees of sheriffs
245 Nuisances, metropolitan cities
364 Forcible entry and detention

L. B. 28, 29, 30, 31, 32, 116, 117, 139, 184, 204, 211, 219, 239, 244, 257, 274, 290, 294, 382, 400, with others.

DON E. HANNA

35 Brand book fund
133 Livestock, brand recording
265 Sale of school lands
401 Picketing

L. B. 148, 174, 252, 297, 381, 389, with others.

H. P. HEILIGER

141 Appropriation for State Real Estate Commissioner fund
164 Practice of cosmetology
212 Assignment of accounts receivable
229 Sale of personal property for claims due
303 Absent and disabled voters
365 Railroad signals

L. B. 104, 127, 163, 201, 238, 367, 384, with others.

LADD J. HUBKA

47	Labor, safety appliances
76	Claims against cities and villages
120	Crippled persons, assistance
146	Occupation tax
176	Small loans
192	Motor vehicle fuels
205	Cities under commission form of government
234	Workmen's compensation, regulations
271	Eradication of bindweed
335	Boarding homes for aged and infirm
336	Trade and correspondence schools

L. B. 191, 200, 246, with others.

CARL P. JEFFORDS

354	Labor organizations

L. B. 225, 252, 345, with others.

LOUIS M. JEPPESEN

48	Delinquent taxes, collection
332	Cooperative credit associations
333	Commencement of civil actions

L. B. 38, 330, 331, with others.

SAM KLAVER

60	Gasoline highway fund
118	Bread, standard weight
119	Tax exemptions
226	Liquor licenses
247	Habitual criminals
357	Salaries of bailiffs
361	Judges, retirement
362	Universities, competitive contests

L. B. 28, 29, 31, 32, 100, 156, 204, 210, 211, 230, 261, 262, 263, 277, 294, 353, 360, 384, 402, 403, with others.

EARL J. LEE

43	Personal loans
87	Precinct assessors
178	Foreign corporations, regulations

337	Internal improvements
338	County road tax
339	Clerk and treasurer, cities and villages
373	Inspection, motor vehicle fuels

L. B. 101, 126, 168, 200, 300, 438, with others.

STANLEY A. MATZKE

5	Sundry claims board
6	Deposit of funds by county officers
7	Public warehouses
8	Elections, poll books, canvass
9	Election officials
10	State fire marshall
11	Assessment and levy of taxes
12	Personal property, common school fund
13	Legal publications
14	County assessors
15	Official bonds
16	State taxes, general
37	Acknowledgment of legal instruments
94	Actions to quiet title
97	Board of Educational Lands and Funds, bonds
98	Nebraska Aeronautics Commission
379	Motor vehicles, liens
387	County road systems

L. B. 153, 185, with others.

JOHN E. MEKOTA

61	Contracts and estimates, cities and villages
62	Village board of trustees
89	Decedents' estates, taxation
363	Legal investments by fiduciaries
409	Vacancies in office

MARTIN J. MISCHKE

386	Transmission lines on highways

L. B. 40, 41, 260, 297, with others.

FRED A. MUELLER

69	Funds of cities and villages
70	Investment of surplus public funds

73	Manufacture of synthetic rubber
132	Manufacture of plastics
287	Unlawful discrimination in business
288	Destruction of animals by dogs
315	Life preservers on boats

L. B. 167, 169, 173, 174, 227, 277, 325, 330, 331, 380, with others.

E. M. NEUBAUER

135	Cigarette tax

L. B. 86, 124, 130, 228, 236, 253, 278, 284, 286, 325, 334, 359, with others.

WILLIAM J. NORMAN

L. B. 28, 29, 31, 32, 204, 211, 244, 261, 294, 360, 384, 402, with others.

CLIFF N. OGDEN

33	Dividends and surplus of banks
34	Loans by banks, security
237	Surety bonds

L. B. 28, 31, 32, 131, 149, 204, 211, 239, 261, 294, with others.

TOM C. OSBORNE

142	Legislature, reports, members and candidates
243	Practice of chiropractic
323	Poultry, inspection
324	Rate of speed, motor vehicles

L. B. 224, 228, 253, 255, with others.

C. PETRUS PETERSON

49	Uniform conditional sales
50	Uniform partnership act
112	Presidential electors
186	Conveyance, Lincoln land
195	Sanitary drainage districts, discontinuance
197	Placement and unemployment insurance
198	Unemployment compensation
269	Salvage material in highway department
270	School buses
328	Notaries public
329	Adoption of children

358 Mothers' pensions

L. B. 111, 162, 163, 166, 168, 201, 255, 285, 295, 322, 327, 367, with others.

WALTER R. RAECKE

42 Testimony of husband and wife
154 Municipal tax levies
206 Foreclosure of tax liens
266 Apportionment of school funds

L. B. 17, 18, 19, 20, 38, 39, 85, 88, 102, 137, 153, 230, 316, 343, with others.

ELMER C. RAKOW

90 Brand inspection area
93 Delinquent personal taxes
223 Assets of decedents' estates
268 Musical compositions, copyrights
276 Criminal procedure, felony

L. B. 38, 39, 44, 91, 92, 139, 148, 152, 199, 260, 274, 275, with others.

JOSEPH C. REAVIS

109 Moving objects on highways
110 Collection of personal taxes
232 Per capita tax for state assistance
326 Interstate county bridge bonds

L. B. 17, 18, 19, 20, 117, 281, 316, with others.

FRANK SORRELL

1 Motor vehicle fuels
25 Vital statistics
123 Officers of cities and villages, salaries
155 Road districts and overseers
183 Salaries, county officers and assistants
187 Aviation fields
202 Practice of chiropractic
258 Partition sales
272 Motor vehicles, registration
312 High school replacement tax
313 Delinquent taxes, removing buildings
314 County bridges

L. B. 36, 100, 280, 380, with others.

RAY THOMAS

177 Appropriation, bond premiums
355 Life insurance
356 Life insurance
395 Insurance, license revoked

L. B. 104, 124, 224, 277, with others.

DUDLEY E. THOMPSON

84 Formation of school districts
215 Taxation of fire insurance companies
216 Foreign casualty companies
217 Domestic insurance companies

L. B. 91, 92, 139, 152, 199, 260, 275, 286, 311, with others.

CHARLES F. TVRDIK

L. B. 28, 29, 30, 31, 32, 116, 117, 127, 137, 184, 204, 210, 211, 219, 244, 246, 261, 262, 290, 294, 297, 322, 353, 360, 380, 382, 384, 400, 402, 403, with others.

GEORGE C. WEBORG

122 Teachers' contracts
251 Frozen food locker plants
392 Real estate taxes

L. B. 225, 345, 366, with others.

LEGISLATIVE BILLS WITH MORE THAN ONE INTRODUCER

---

17 Reavis, Raecke, Crosby. Legal process, alien property
18 Reavis, Raecke, Crosby. Jurisdiction of courts of record
19 Reavis, Raecke, Crosby. Federal grants and loans, war defense purposes
20 Reavis, Raecke, Crosby. Transportation of motor vehicle fuels
28 Foster, Cullingham, Gutoski, Tvrdik, Norman, Klaver, Ogden. Insurance and retirement in municipal university
29 Tvrdik, Klaver, Gutoski, Cullingham, Norman, Foster. Division of motor vehicle registration fees
30 Tvrdik, Foster, Gutoski. Housing authorities
31 Gutoski, Cullingham, Klaver, Tvrdik, Ogden, Norman, Foster. Tax receipts
32 Tvrdik, Ogden, Norman, Cullingham, Foster, Klaver, Gutoski. Collection of taxes
36 Bowman, Sorrell. Sales by referees in partition
38 Raecke, Rakow, Jeppesen. Real estate tax liens
39 Raecke, Rakow. Fees, register of deeds
40 Mischke, Greenamyre, Foster. Premarital examinations
41 Mischke, Greenamyre, Foster. Prenatal examinations
44 Greenamyre, Rakow. Delinquent personal taxes
85 Raecke, Greenamyre. Rentals from saline lands
86 Neubauer, Carmody, Garber. Republican River compact
88 Raecke, Crossland. Excise tax on oils
91 Rakow, Thompson. School districts, publication of expenditures
92 Rakow, Thompson. Larceny
100 Bowman, Sorrell, Klaver. State Real Estate Commission
101 Anderson, James H., Gantz, Lee. Elections and conventions
102 Anderson, James H., Bowman, Raecke. Civil service for firemen
104 Heiliger, Thomas. Waiving interest on taxes
111 Peterson, Gantz. Salaries of sheriffs
116 Gutoski, Tvrdik. Employment of railroad telegraphers
117 Tvrdik, Gutoski, Reavis. Railroads, switch stand lights
124 Thomas, Garber, Neubauer. Practice of osteopathy
126 Lee, Anderson, James H., Gantz. Retirement system for municipalities and utilities

127 Craven, Tvrdik, Heiliger. Workmen's compensation
130 Neubauer, Carmody. State water conservation board
131 Asimus, Ogden. Towing motor vehicles on highways
137 Raecke, Crosby, Tvrdik. Aircraft gasoline tax
139 Rakow, Gutoski, Thompson, Foster. Licenses, healing arts
148 Rakow, Hanna. Taxation of hotels
149 Ogden, Anderson, James H., Cullingham, Foster. License fees for certain professions
152 Thompson, Rakow. Construction and repair of sidewalks
153 Raecke, Gantz, Matzke. Annual budget, cities and villages
156 Klaver, Gantz. Workmen's compensation
162 Craven, Peterson. Dockets of district courts
163 Peterson, Craven, Heiliger. District court bailiffs
166 Peterson, Conklin, Greenamyre. Council for agricultural industry
167 Dooley, Gantz, Mueller. State zoning agency
168 Lee, Burnham, Peterson. Chief game warden
169 Carmody, Mueller, Crosby. Game, Forestation, Parks Commission
173 Mueller, Carmody, Crosby. Special permits to take game
174 Carmody, Mueller, Hanna. Game and fish regulations
184 Gutoski, Tvrdik. County boards and purchasing agents
185 Crosby, Gantz, Matzke. Prison labor
191 Hubka, Crosby. County civilian defense
194 Conklin, Crosby. Transportation of motor vehicle fuels
199 Rakow, Thompson. Taxable property, valuation
200 Lee, Hubka. County 4-H Club fairs
201 Craven, Peterson, Heiliger. Purchase of land for men's reformatory
204 Cullingham, Gutoski, Tvrdik, Norman, Ogden, Klaver, Foster, Dooley, Brodahl. Peoples power commission
210 Tvrdik, Cullingham, Klaver. Employees of water and utilities districts
211 Norman, Foster, Ogden, Tvrdik, Gutoski, Cullingham, Klaver. Schools, retirement of employees
214 Crosby, Carmody. Title, registration, motor vehicles
219 Tvrdik, Gutoski. Boiler inspection
220 Doyle, Garber. Delinquent taxes, interest cancellation
224 Thomas, Brodahl, Osborne. Formation of school districts
225 Jeffords, Weborg. County high schools
227 Mueller, Foster. Delayed birth certificates
228 Osborne, Neubauer. Liquor licenses, regulations
230 Raecke, Klaver. Workmen's compensation, occupational diseases
236 Brodahl, Neubauer, Crossland. Free high school tuition
238 Heiliger, Craven. Salaries in office of register of deeds
239 Gutoski, Ogden. Stop orders to banks
244 Gutoski, Tvrdik, Norman. Authority of counties to borrow money
246 Hubka, Tvrdik, Bowman. Standard weights for bread
248 Craven, Carmody, Burnham. Public power and irrigation districts

252 Hanna, Jeffords. Nebraska brand committee
253 Bowman, Neubauer, Osborne. Water diversion
255 Peterson, Osborne. Organization of credit unions
257 Gutoski, Garber. Supreme court, constitutional amendment
260 Thompson, Rakow, Mischke. Telephone and telegraph companies
261 Cullingham, Tvrdik, Klaver, Ogden, Norman, Foster. Metropolitan utilities districts, retirement
262 Klaver, Tvrdik, Cullingham. Water and utilities districts, employees
263 Foster, Klaver. Discrimination in employment of labor
273 Craven, Crossland. Taxation, nonresidents
274 Rakow, Gutoski, Foster. Accredited medical school
275 Rakow, Thompson. Acting county judge
277 Thomas, Mueller, Klaver. Old age assistance
278 Neubauer, Carmody, Craven. Oil, gas and mineral rights
280 Sorrell, Craven. Corporation taxes
281 Craven, Reavis. Public grain warehouses
284 Anderson, D. S., Neubauer, Crosby. Agricultural testing centers
285 Peterson, Gantz. Tax and levy on corporate stock
286 Greenamyre, Thompson, Neubauer. Public power and irrigation districts
290 Foster, Gutoski, Tvrdik. Elevator inspection
294 Tvrdik, Ogden, Gutoski, Klaver, Norman. Tax on motor vehicle fuels
295 Peterson, Crosby. County health departments
297 Tvrdik, Hanna, Mischke. Emergency tax levy
300 Lee, Greenamyre. Aviation fields
311 Thompson, Crossland. Fees of county board members
316 Crossland, Raecke, Reavis. Soldiers' and sailors' home
322 Peterson, Tvrdik, Craven. Stenographic court reporters
325 Conklin, Mueller, Neubauer. Title to motor vehicles
327 Peterson, Doyle. Pensions for firemen
330 Jeppesen, Mueller. Sterilization, inmates of state institutions
331 Jeppesen, Mueller. Transfer of inmates in penal instiutions
334 Foster, Neubauer. Prevention and control of disease
343 Crosby, Raecke. Workmen's compensation
345 Jeffords, Weborg. Bonds, submission to electors
353 Tvrdik, Klaver, Foster. Metropolitan water districts
359 Neubauer, Carmody. Promotion of water conservation and flood control
360 Klaver, Tvrdik, Norman. Municipal courts
366 Weborg, Burnham. Teachers' contracts
367 Craven, Peterson, Heiliger. Court clerks, deputies, assistants, salaries
372 Cullingham, Greenamyre. Gasoline tax refund
380 Tvrdik, Sorrell, Mueller. Railway Commission, State
381 Doyle, Hanna. County agricultural societies

382 Doyle, Gutoski, Tvrdik. Electors, constitutional amendment
384 Klaver, Tvrdik, Heiliger, Norman. Tenure of teachers
389 Hanna, Gantz, Crosby. Officers of the penitentiary
400 Gutoski, Tvrdik. Nonprofit corporations
402 Norman, Tvrdik, Klaver. Duties of election commissioner
403 Tvrdik, Klaver, Greenamyre. Motor fuels, price signs
438 Dooley, Lee. Iowa-Nebraska boundary

LEGISLATIVE BILLS INTRODUCED BY COMMITTEES

Agriculture

Chairman—E. M. Neubauer

125	Manufacture and sale of frozen desserts
289	Candling of eggs
301	Dairy industry
317	State fair grandstand bonds
406	Garden County game refuge
418	Eradication of noxious weeds

Appropriations

Chairman—H. G. Greenamyre

51	Appropriation for the Legislature
52	Appropriation, salary, members of Legislature
95	Appropriation, salary, state officers
96	Appropriation for state government
105	Governor, constitutional amendment
106	Salary, heads of state departments
221	Duties of state purchasing agent
410	Central mailing office
411	Imitation butter
412	Emergency appropriation, military department
416	Audit, county offices
421	Attorney general
422	Motor vehicle driver's license
423	Emergency appropriation, Kearney State Normal
428	Allocation, state assistance fund
437	State Board of Vocational Education
441	Premarital examinations
442	Prenatal examinations
443	Appropriation, land for men's reformatory

Banking, Commerce and Insurance

Chairman—C. Petrus Peterson

196	Former depositors guaranty fund
293	Intrastate motor carriers
419	Rates of interest
434	Bank regulations, war loan deposits

Claims and Deficiencies

Chairman—John E. Mekota

440 Appropriation, miscellaneous claims

Education

Chairman—Stanley A. Matzke

218 Nebraska Public Library Commission
407 Deputy superintendent of schools
435 Aggregate school tax
436 County high schools

Government

Chairman—John F. Doyle

413 Election boards
420 County officers, salary
430 State assistance, administration
431 County boards, salary

Judiciary

Chairman—Harry E. Gantz

143 Rules of supreme court, to approve
144 Rules of supreme court, to repeal
145 Rules of supreme court
391 County attorneys
414 Oil and gas leases
415 Oil and gas leases by Board of Educational Lands and Funds
426 Public amusement places
427 Rules of supreme court
432 Legislative Council
433 Statute Commission, 1943

Labor and Public Welfare

Chairman—George I. Craven

417 Spastic persons
444 Employment of females
445 Adoption of children

Public Health and Miscellaneous Subjects

Chairman—Harry A. Foster

424 Boarding and care of children
446 Dependent children

Public Works

Chairman—Martin J. Mischke

113	Pipe lines for oil and gas
136	Rate of speed for motor vehicles
179	Motor vehicles, highway regulations
259	Flight strips and roads
405	Public power and irrigation districts
408	Public power and irrigation districts

Revenue

Chairman—Walter R. Raecke

429	Tax on aircraft fuel

BILLS IN COMMITTEES

Agriculture

Chairman—E. M. Neubauer

1	Motor vehicle fuels
73	Synthetic rubber
74	Preservation of fish life
78	Removal of fish, regulations
90	Brand inspection area
99	Board of Agriculture, state fair
103	Hunting and fishing licenses
121	Wild animals, bounties
125	Frozen desserts
132	Manufacture of plastics
133	Live stock, brand recording
134	Beaver damaging real estate
159	Stolen automobiles
166	Council for agricultural industry
168	Chief game warden
169	Game, Forestation and Parks Commission
173	Game, special permits
174	Game and fish regulations
200	County 4-H Club fair
251	Frozen food locker plants
252	Nebraska brand committee
271	Bindweed eradication
281	Public grain warehouses
284	Agricultural testing centers
288	Destruction of animals by dogs
289	Candling of eggs
301	Dairy industry
317	State fair grandstand bonds
319	Gravel pits
320	Mobilization of firemen
323	Poultry, inspection
328	Notaries public
331	Transfer, inmates, state institutions
335	Boarding homes
340	Imitation butter
346	Old age assistance
351	Weights and measures
359	Promotion of water conervation and flood control
374	Abstracters of title
381	County agricultural societies
406	Garden County game refuge
418	Weeds, eradication

Appropriations

Chairman—H. G. Greenamyre

21	Salaries, superintendents of state hospitals
35	Brand book fund
51	Legislature, appropriation
52	Salary, members of Legislature
95	State officers, salary
96	State government, general appropriation
105	Governor, constitutional amendment
106	Heads of departments, salary
141	State Real Estate Commissioner fund

151	Nebraska Industrial Home
177	Appropriation, bond premiums
188	Tuition, children of soldiers, sailors, marines
201	Men's reformatory, appropriation for land
221	Duties of state purchasing agent
256	Appropriation from special fee fund
389	Penitentiary, officers, salary
410	Central mailing office
411	Imitation butter
412	Military department, emergency appropriation
416	Audits of county offices
417	Spastic persons
421	Attorney General
422	Driver's license
423	Kearney State Normal, emergency appropriation
428	Assistance fund, allocation
437	Board of Vocational Education

Banking, Commerce and Insurance

Chairman—C. Petrus Peterson

2	Domestic assessment companies
26	Loans by banks
27	Cash reserves of banks
33	Dividends and surplus of banks
34	Loans by banks, security
43	Personal loans
48	Delinquent taxes, collection
57	Salaries in Department of Banking
58	Building and loan associations
115	Insurance agents
176	Small loans
178	Foreign corporations
196	Former depositors guaranty fund
212	Assignment of accounts receivable
215	Taxation of fire insurance companies
216	Foreign casualty companies
217	Domestic insurance companies
233	Insurance agents, licenses
239	Stop orders to banks
255	Credit unions
272	Motor vehicles, registration
287	Unlawful discrimination in business
293	Intrastate motor carriers
296	Industrial loan and investment companies
310	Cooperative credit associations
332	Cooperative credit associations
344	Foreign insurance companies
355	Life insurance
356	Life insurance
368	Occupation tax on corporations
395	Insurance, licenses revoked
400	Nonprofit corporations
419	Rates of interest
434	Bank regulations, war loan deposits

Claims and Deficiencies

Chairman—John E. Mekota

398 Claims against State
440 Miscellaneous claims

Education

Chairman—Stanley A. Matzke

24 Junior colleges
28 Insurance and retirement, municipal university
85 Rental from saline lands
91 School districts, publication of expenditures
97 Bonds, Board of Educational Lands and Funds
122 Teachers' contracts
180 School children, transfer
186 Conveyance, Lincoln land
211 Schools, retirement of employees
213 Leasing of school lands
218 Nebraska Public Library Commission
224 School districts, formation
225 County high schools
236 Free high school tuition
249 Errors in tax lists
264 School lands, eminent domain
265 Sale of school lands
266 School funds, apportionment
267 Transfer of school lands
270 School buses
336 Trade and correspondence schools
353 Metropolitan water districts
362 Universities, competitive contests
366 Teachers' contracts
384 Teachers' tenure
385 State normal schools
435 Aggregate school tax
436 County high schools

Enrollment and Review

Chairman—James H. Anderson

425 Historical society, state

Government

Chairman—John F. Doyle

5 Sundry claims board
6 Deposit of funds by county officers
8 Elections, poll books, canvass
9 Election officials
11 Assessment and levy of taxes
19 Federal grants and loans, war defense
22 Bonds of county officers
30 Housing authorities
31 Tax receipts
32 Collection of taxes
54 Itinerant merchants
55 Victory tax
56 Nebraska State Guard

61	Contracts and estimates, cities and villages
62	Village board of trustees
68	Cemetery districts
69	Funds of cities and villages
70	Surplus public funds
79	Acknowledgments by county clerks
87	Precinct assessors
98	Nebraska Aeronautics Commission
101	Elections and conventions
111	Sheriffs, salary
112	Presidential electors
123	Officers of cities and villages, salaries
126	Retirement system for municipalities and utilities
138	Jails, fees of sheriffs
142	Legislature, members and candidates
153	Annual budget, cities and villages
172	National convention delegates
175	Nomination of candidates by petition
182	Powers of cities and villages
183	County officers, assistants, salary
203	Nebraska merit system
210	Water and utilities districts, employees
238	Salaries in office of register of deeds
242	Tax commissioner, duties
244	Authority of counties to borrow money
261	Metropolitan utilities districts, retirement, insurance
262	Water and utilities districts, employees
291	County government, commissioner system
302	Executive heads, tenure
311	County board members, fees
326	Interstate county bridge bonds
327	Pensions for firemen
339	Clerk and treasurer, cities and villages
342	State supplies, printing
345	Bonds, submission to electors
348	Assessors, salaries
370	Election of county commissioners
380	Railway Commission, State
382	Electors, constitutional amendment
393	Elections, ballots
399	Gambling devices
402	Election commissioner
409	Vacancies in office
413	Election boards
420	County officers
430	State assistance, administration
431	County boards, salaries
438	Iowa-Nebraska boundary

Judiciary

Chairman—Harry E. Gantz

12	Personal property, common school fund
13	Legal publications
17	Process in civil proceeding or administrative actions
18	Jurisdiction of courts of record
36	Partition, sales by referees
37	Acknowledgment of legal instruments
42	Testimony of husband and wife
46	Small estates act
49	Uniform conditional sales

50	Uniform partnership act
59	Estates of minors or incompetents
63	Machine guns
64	Absent and disabled voters
65	Bills of lading
66	Stolen rubber tires
67	Legal newspapers
76	Claims against cities and villages
80	Prosecuting attorneys, duties
82	Jurors and jury service
83	Terms of county court
84	School districts, formation
92	Larceny
94	Actions to quiet title
107	Dissolved corporations
140	Bonds, joint control funds
143	Supreme court rules, to approve
144	Supreme court rules, to repeal
145	Supreme court rules
162	District court, dockets
165	Complaints to keep the peace
189	Decedents' estates
206	Foreclosure of tax liens
209	Estates of missing persons
223	Assets of decedents' estates
228	Liquor licenses, regulations
237	Surety bonds
240	Municipal courts
247	Habitual criminals
257	Supreme court, constitutional amendment
258	Partition sales
275	Acting county judge
276	Criminal procedure, felony
278	Oil, gas and mineral rights
282	Publication of legal notices
285	Tax and levy on corporate stock
298	Drunken drivers
299	Heirship determination
303	Absent and disabled voters
304	Torrens Title System
305	Interurban railroads
306	Forest reserves
307	Scavenger tax sales
308	County foundations and community trusts
318	State hospital for insane
322	Stenographic court reporters
333	Commencement of civil actions
352	Fiduciaries' emergency act
357	Bailiffs, salaries
358	Mothers' pensions
360	Municipal courts
361	Judges, retirement
363	Investments by fiduciaries
364	Forcible entry and detention
367	Court clerks, deputies, assistants, salaries
371	Drunken drivers
377	Abstracters of title
378	Courts, intervention
383	District court judges, salaries
391	County attorneys
396	Liability created by federal statute
414	Oil and gas leases
415	Oil and gas leases, Board of Educational Lands and Funds
427	Supreme court rules

Labor and Public Welfare

Chairman—George I. Craven

47	Labor, safety appliances
53	Employment of children
102	Civil service for firemen
114	Employment of children
116	Railroad telegraphers
120	Crippled persons, assistance
127	Workmen's compensation
156	Workmen's compensation

161	Workmen's compensation
185	Prison labor
197	Placement and unemployment insurance
198	Unemployment compensation
207	Collective bargaining
208	Workmen's compensation
219	Boiler inspection
230	Workmen's compensation
234	Workmen's compensation, regulations
263	Labor discrimination
277	Old age assistance
290	Elevator inspection
292	Railroad employees, hospitalization
330	Sterilization, inmates, state institutions
341	Division of placement and unemployment insurance
343	Insurers writing workmen's compensation insurance
349	Division of placement and unemployment insurance
354	Labor organizations
401	Picketing
444	Employment of females

Public Health and Miscellaneous Subjects

Chairman—Harry A. Foster

25	Vital statistics
40	Premarital examinations
41	Prenatal examinations
75	Staff officers of the militia
81	Age majority and minority
100	State Real Estate Commission
108	Appointment of relatives to public positions
117	Railroads, switch stand lights
118	Bread, standard weight
124	Osteopathy
139	Healing arts, licenses
149	License fees for certain professions
150	Sale of fireworks
160	Liquor control
163	District court bailiffs
164	Cosmetology
181	Minors, debauching
184	County boards and purchasing agents
191	County civilian defense
195	Sanitary drainage districts, discontinuance
202	Practice of chiropractic
205	Cities under commission form of government
227	Delayed birth certificates
229	Sale of articles, claims due
231	Sanitary drainage districts, trustees
243	Practice of chiropractic
245	Nuisances, metropolitan cities
246	Bread, standard weight
268	Musical compositions, copyrights
274	Accredited medical school
279	Healing arts, licenses
295	County health departments
315	Life preservers on boats
316	Soldiers' and sailors' home
334	Disease, prevention and control
375	Housing authorities
390	Bedding and upholstered furniture
424	Children, boarding and care
426	Public amusement places
446	Dependent children

Public Works

Chairman—Martin J. Mischke

7	Public warehouses
10	State fire marshall
20	Transportation of motor vehicle fuels
23	Motor vehicles, overcrowded
71	Franchises and contracts, cities and villages
72	Power plants, transmission lines
77	Registration of motor vehicles
86	Republican River compact
109	Moving objects on highways
113	Pipe lines for oil and gas
128	Housing authorities
130	State water conservation board
131	Towing motor vehicles
136	Rate of speed, motor vehicles
152	Sidewalks, construction and repair
155	Road districts and overseers
158	Reckless driving
167	State zoning agency
170	Sewer maintenance and repair
171	Irrigation districts, property
179	Highway regulations for motor vehicles
187	Aviation fields
192	Motor vehicle fuels
193	Safety patrol
194	Transportation of motor vehicle fuels
204	Peoples power commission
214	Title and registration of motor vehicles
222	Motor carriers, permit fees
248	Public power and irrigation districts
250	Ports of entry
253	Water diversion
254	Motor vehicle operators' license fund
259	Flight strips and roads
260	Telephone and telegraph companies
269	Salvaged materials, highway department
283	Public power and irrigation districts
286	Public power and irrigation districts
300	Aviation fields
314	County bridges
324	Rate of speed, motor vehicles
325	Title to motor vehicles
329	Adoption of children
337	Internal improvements
347	Nebraska safety patrol
365	Railroad signals
379	Motor vehicles, liens
386	Transmission lines on highways
387	County road systems
397	Power districts and corporations
405	Public power and irrigation districts
408	Public power and irrigation districts

Revenue

Chairman—Walter R. Raecke

3	Tangible property, maximum levy
4	Sanitary drainage districts
14	County assessors
15	Official bonds
16	State taxes, general
29	Motor vehicle registration fees
38	Real estate tax liens
39	Fees, register of deeds
44	Delinquent personal taxes
45	State assistance and poll taxes
60	Gasoline highway fund
88	Excise tax on oils
89	Decedents' estates, taxation
93	Delinquent personal taxes
104	Waiving interest on taxes
110	Collection of personal taxes
119	Tax exemption
129	Distribution of gasoline tax fund
135	Cigarette tax
137	Aircraft gasoline tax
146	Occupation tax
147	Levy, permanent school fund
148	Taxation of hotels
154	Municipal tax levies
157	Sanitary drainage districts, audits
190	Tax foreclosure sale
199	Taxable property, valuation
220	Delinquent taxes, cancellation
226	Liquor licenses
232	Per capita tax for state assistance
235	Delinquent taxes on real estate
241	Railroad license tax
273	Taxation, nonresidents
280	Corporation taxes
294	Motor vehicle fuels, tax
297	Emergency tax levy
309	Foreclosure of tax liens
312	High school replacement tax
313	Delinquent taxes, removing buildings
321	Tax levy in defense area
338	County road tax
350	Salaries, deputies to state officers
369	Inheritance tax
372	Gasoline tax refund
373	Inspection, motor vehicle fuels
376	Housing authorities
388	Motor vehicle operators' license fund
392	Real estate taxes
394	Funding bonds, political subdivisions
403	Motor fuels, price signs
404	Tax on natural gas
407	Deputy state superintendent of schools
429	Aircraft fuel tax

SUMMARY OF LEGISLATIVE BILLS

Bills introduced 446

The following table shows the final disposition
of each bill

Approved by Governor

4 5 7 12 19 20 21 22 23 24 25 26 28 29 30 31 32 33 34
35 37 38 39 40 41 42 43 44 45 46 50 51 52 55 56 57 58 59
60 61 62 66 67 69 70 71 72 74 75 79 80 82 83 84 85 86 89
90 95 96 97 99 100 101 102 106 107 110 112 113 116 123 125 129 133 138
139 140 141 145 147 149 150 152 153 154 155 157 158 160 162 163 165 167 170
171 172 174 176 177 178 179 180 182 184 185 186 187 188 191 194 195 196 197
201 204 205 206 209 211 213 214 215 219 221 223 224 225 229 230 231 232 236
238 239 242 244 246 248 249 251 252 255 256 259 261 263 264 265 266 267 269
271 277 280 282 284 285 286 287 293 294 295 296 297 299 300 301 303 304 305
306 307 308 309 314 316 318 321 322 327 328 329 331 332 334 335 337 339 351
352 353 355 363 364 365 366 368 369 384 385 386 387 389 391 394 396 400 402
403 407 409 410 412 413 414 415 416 418 419 420 421 422 423 424 425 428 429
431 432 433 434 435 436 437 438 439 440 443

Passed over Governor's veto
73

Vetoed by Governor
130 132 166 247 372 417

Correlated
379

Left in Standing Committee
446

Indefinitely postponed

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CHRONOLOGY OF BILLS

Fifty-sixth Session

LEGISLATIVE BILL 1 By Sorrell

		Page
Jan. 6	Read first time	35
Jan. 6	Read second time. Referred to Committee on Agriculture	46
Jan. 6	Notice of hearing	47
Jan. 15	Notice of hearing	120
Feb. 1	Placed on General File	251
Feb. 3	Read and considered	311
Feb. 4	Placed at foot of General File	314
Feb. 5	Request, special order	331
Feb. 9	Indefinitely postponed	351
Feb. 10	Statements	352
Feb. 23	Motion	483

LEGISLATIVE BILL 2 By Craven

Jan. 6	Read first time	35
Jan. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	46
Feb. 10	Notice of hearing	353
Mar. 18	Indefinitely postponed	681
Apr. 20	Motion	1064

LEGISLATIVE BILL 3 By Craven

Jan. 6	Read first time	35
Jan. 6	Read second time. Referred to Committee on Revenue	46
Jan. 6	Notice of hearing	48
Jan. 13	Placed on General File	103

		Page
Jan. 14	Laid over	118
Jan. 18	Laid over	136
Jan. 19	Laid over	147
Jan. 20	Laid over	161
Jan. 21	Laid over	168
Jan. 22	Laid over	183
Jan. 26	Placed at foot of General File	208
Jan. 28	Laid over	236
Feb. 10	Indefinitely postponed	359

LEGISLATIVE BILL 4 By Craven

Jan. 6	Read first time	35
Jan. 6	Read second time. Referred to Committee on Revenue	46
Jan. 6	Notice of hearing	48
Jan. 13	Placed on General File	104
Jan. 14	Referred for review	118
Jan. 18	Placed on Select File	132
Jan. 19	Motion. Referred for engrossment	148
Jan. 25	Correctly engrossed	199
Jan. 29	Read third time. Laid over	248
Feb. 3	Read third time and passed	309
Feb. 5	Correctly enrolled. Signed by President	322
Feb. 5	Presented to Governor	345
Feb. 9	Approved by Governor	384

LEGISLATIVE BILL 5 By Matzke

Jan. 6	Read first time	38
Jan. 6	Read second time. Referred to Committee on Government	46
Jan. 12	Notice of hearing	85
Jan. 21	Placed on General File	163
Jan. 22	Referred for review	185
Jan. 28	Placed on Select File	221
Feb. 1	Referred for engrossment	272
Feb. 12	Correctly engrossed	381
Feb. 19	Laid over	455
Feb. 22	Read third time and passed	469
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 6 By Matzke

		Page
Jan. 6	Read first time	38
Jan. 6	Read second time. Referred to Committee on Government	46
Jan. 12	Notice of hearing	85
Mar. 23	Placed on General File	735
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 7 By Matzke

Jan. 6	Read first time	38
Jan. 6	Read second time. Referred to Committee on Public Works	46
Jan. 6	Notice of hearing	48
Jan. 18	Placed on General File	130
Jan. 19	Referred for review	147
Jan. 25	Placed on Select File	192
Jan. 26	Referred for engrossment	207
Feb. 3	Correctly engrossed	309
Feb. 10	Read third time and passed	356
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 8 By Matzke

Jan. 6	Read first time	38
Jan. 6	Read second time. Referred to Committee on Government	46
Jan. 12	Notice of hearing	85
Jan. 28	Indefinitely postponed	221

LEGISLATIVE BILL 9 By Matzke

Jan. 6	Read first time	39
Jan. 6	Read second time. Referred to Committee on Government	46
Jan. 12	Notice of hearing	85
Mar. 5	Indefinitely postponed	588

LEGISLATIVE BILL 10 By Matzke

Jan. 6	Read first time	39
Jan. 6	Read second time. Referred to Committee on Public Works	46

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Jan. 8	Notice of hearing	69
Jan. 18	Placed on General File	131
Jan. 19	Laid over	147
Jan. 20	Read. Laid over	161
Jan. 21	Recommitted to Committee on Public Works	169
Mar. 25	Indefinitely postponed	786

LEGISLATIVE BILL 11 By Matzke

Jan. 6	Read first time	39
Jan. 6	Read second time. Referred to Committee on Government	46
Jan. 14	Notice of hearing	113
Mar. 25	Indefinitely postponed	789

LEGISLATIVE BILL 12 By Matzke

Jan. 6	Read first time	39
Jan. 6	Read second time. Referred to Committee on Judiciary	46
Jan. 6	Notice of hearing	48
Jan. 14	Placed on General File	114
Jan. 18	Referred for review	137
Jan. 20	Placed on Select File	152
Jan. 25	Referred for engrossment	197
Jan. 26	Replaced on Select File	202
Jan. 27	Referred for engrossment	218
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	327
Feb. 5	Explanation of vote	328
Feb. 10	Correctly enrolled. Signed by President	355
Feb. 11	Presented to Governor	367
Feb. 11	Approved by Governor	384

LEGISLATIVE BILL 13 By Matzke

Jan. 6	Read first time	40
Jan. 6	Read second time. Referred to Committee on Judiciary	47
Jan. 6	Notice of hearing	48
Mar. 8	Indefinitely postponed	603

LEGISLATIVE BILL 14 By Matzke

Jan. 6	Read first time	40

		Page
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 7	Rereferred to Committee on Revenue	57
Jan. 20	Notice of hearing	150
Mar. 31	Placed on General File	854
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 15 By Matzke

Jan. 6	Read first time	40
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 7	Rereferred to Committee on Revenue	57
Jan. 20	Notice of hearing	150
Apr. 14	Indefinitely postponed	988

LEGISLATIVE BILL 16 By Matzke

Jan. 6	Read first time	40
Jan. 6	Read second time. Referred to Committee on Revenue	47
Jan. 6	Notice of hearing	48
Jan. 20	Notice of hearing	150
Mar. 10	Indefinitely postponed	636

LEGISLATIVE BILL 17 By Reavis et al

Jan. 6	Read first time	41
Jan. 6	Read second time. Referred to Committee on Judiciary	47
Jan. 6	Notice of hearing	48
Jan. 14	Placed on General File	114
Jan. 18	Referred for review	137
Jan. 20	Placed on Select File	153
Jan. 25	Referred for engrossment	197
Jan. 29	Correctly engrossed	240
Feb. 5	Rereferred to Committee on Judiciary	327
Apr. 6	Indefinitely postponed	882

LEGISLATIVE BILL 18 By Reavis et al

Jan. 6	Read first time	41
Jan. 6	Read second time. Referred to Committee on Judiciary	47
Jan. 6	Notice of hearing	48
Mar. 25	Indefinitely postponed	782

LEGISLATIVE BILL 19 **By Reavis et al**

		Page
Jan. 6	Read first time	41
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 14	Notice of hearing	113
Feb. 22	Placed on General File	465
Apr. 2	Committee report	872
Apr. 2	Referred for review	873
Apr. 7	Placed on Select File	896
Apr. 8	Referred for engrossment	937
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1045
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 20 **By Reavis et al**

Jan. 6	Read first time	41
Jan. 6	Read second time. Referred to Committee on Public Works	47
Jan. 6	Notice of hearing	48
Jan. 18	Placed on General File	130
Jan. 19	Read. Laid over	147
Jan. 20	Laid over	161
Jan. 21	Referred for review	168
Jan. 28	Placed on Select File	223
Feb. 1	Referred for engrossment	272
Feb. 12	Correctly engrossed	381
Feb. 19	Laid over	455
Feb. 22	Read third time and passed	470
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 21 **By Greenamyre**

Jan. 6	Read first time	41
Jan. 6	Read second time. Referred to Committee on Appropriations	47
Jan. 19	Notice of hearing	139
Jan. 26	Placed on General File	201
Jan. 28	Referred for review	236
Feb. 3	Placed on Select File	302
Feb. 4	Referred for engrossment	315
Feb. 10	Correctly engrossed	355

		Page
Feb. 17	Read third time and passed	433
Feb. 19	Correctly enrolled. Signed by President	454
Feb. 20	Presented to Governor	467
Feb. 20	Approved by Governor	468

LEGISLATIVE BILL 22 By **Greenamyre**

Jan. 6	Read first time	42
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 14	Notice of hearing	113
Mar. 1	Placed on General File	520
Apr. 20	Committee report	1063
Apr. 26	Considered. Laid over	1126
Apr. 29	Referred for review	1168
May 3	Placed on Select File	1212
May 5	Referred for engrossment	1256
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1453
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 19	Approved by Governor	1542

LEGISLATIVE BILL 23 By **Greenamyre**

Jan. 6	Read first time	42
Jan. 6	Read second time. Referred to Committee on Public Works	47
Jan. 18	Placed on General File	131
Jan. 19	Motion. Laid over	146, 147
Jan. 20	Referred for review	161
Jan. 25	Placed on Select File	191
Jan. 26	Referred for engrossment	207
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	324
Feb. 10	Correctly enrolled. Signed by President	355
Feb. 11	Presented to Governor	367
Feb. 11	Approved by Governor	384

LEGISLATIVE BILL 24 By **Greenamyre**

Jan. 6	Read first time	42
Jan. 6	Read second time. Referred to Committee on Education	47
Jan. 12	Notice of hearing	85
Jan. 20	Placed on General File	151

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Jan. 22	Referred for review	184
Jan. 27	Placed on Select File	211
Jan. 28	Referred for engrossment	234
Feb. 3	Correctly engrossed	309
Feb. 10	Read third time and passed	358
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 25 By Sorrell

Jan. 6	Read first time	42
Jan. 6	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	47
Jan. 14	Notice of hearing	113
Jan. 21	Placed on General File	163
Jan. 25	Referred for review	199
Jan. 27	Placed on Select File	211
Jan. 28	Referred for engrossment	234
Feb. 3	Correctly engrossed	309
Feb. 10	Laid over	356
Feb. 11	Laid over	378
Feb. 12	Replaced on Select File	385
Feb. 15	Considered. Laid over	395
Feb. 16	Referred for engrossment	408
Feb. 22	Correctly re-engrossed	467
Mar. 1	Read third time and passed	524
Mar. 3	Correctly enrolled. Signed by President	555, 560
Mar. 5	Presented to Governor	590
Mar. 5	Approved by Governor	596

LEGISLATIVE BILL 26 By Conklin

Jan. 6	Read first time	42
Jan. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	47
Jan. 6	Notice of hearing	47
Jan. 13	Placed on General File	104
Jan. 14	Referred for review	118
Jan. 18	Placed on Select File	131
Jan. 19	Motion. Referred for engrossment	148
Jan. 27	Correctly engrossed	213
Feb. 3	Returned for re-engrossment	310
Feb. 4	Correctly re-engrossed	314
Feb. 11	Laid over	378
Feb. 12	Laid over	385

		Page
Feb. 15	Read third time and passed	394
Feb. 15	Statement	395
Feb. 17	Correctly enrolled. Signed by President	431
Feb. 18	Presented to Governor	467
Feb. 19	Approved by Governor	468

LEGISLATIVE BILL 27 By Conklin

Jan. 6	Read first time	43
Jan. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	47
Jan. 6	Notice of hearing	48
Jan. 14	Notice of hearing	113
Jan. 25	Placed on General File	188
Jan. 27	Indefinitely postponed	218

LEGISLATIVE BILL 28 By Foster et al

Jan. 6	Read first time	43
Jan. 6	Read second time. Referred to Committee on Education	47
Jan. 12	Notice of hearing	85
Jan. 20	Placed on General File	150
Jan. 22	Referred for review	183
Jan. 28	Placed on Select File	224
Feb. 1	Referred for engrossment	272
Feb. 2	Motion	296
Feb. 12	Correctly engrossed	381
Feb. 19	Read third time and passed	456
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 26	Approved by Governor	519

LEGISLATIVE BILL 29 By Tvrdik et al

Jan. 6	Read first time	43
Jan. 6	Read second time. Referred to Committee on Revenue	47
Jan. 6	Notice of hearing	48
Jan. 15	Placed on General File	121
Jan. 18	Request, introducers. Referred for review	137
Jan. 20	Placed on Select File	154
Jan. 25	Referred for engrossment	197
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	328
Feb. 10	Correctly enrolled. Signed by President	355

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Feb. 11	Presented to Governor	367
Feb. 11	Approved by Governor	384

LEGISLATIVE BILL 30 By Tvrdik et al

Jan. 6	Read first time	43
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 12	Notice of hearing	85
Jan. 21	Placed on General File	163
Jan. 25	Referred for review	198
Feb. 3	Placed on Select File	304
Feb. 4	Referred for engrossment	315
Feb. 15	Correctly engrossed	393
Feb. 22	Read third time and passed	474
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 31 By Gutoski et al

Jan. 6	Read first time	44
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 12	Notice of hearing	85
Jan. 25	Placed on General File	189
Jan. 28	Referred for review	234
Feb. 3	Placed on Select File	302
Feb. 4	Referred for engrossment	315
Mar. 10	Correctly engrossed	644
Mar. 22	Read third time and passed	722
Mar. 24	Correctly enrolled. Signed by President	775, 776
Mar. 31	Presented to Governor	860
Mar. 31	Approved by Governor	866

LEGISLATIVE BILL 32 By Tvrdik et al

Jan. 6	Read first time	44
Jan. 6	Read second time. Referred to Committee on Government	47
Jan. 12	Notice of hearing	85
Jan. 25	Placed on General File	189
Jan. 28	Referred for review	235
Feb. 11	Placed on Select File	367
Feb. 12	Referred for engrossment	383
Feb. 18	Replaced on Select File	442

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Feb. 22	Referred for engrossment	478
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	642
Mar. 10	Statement	643
Mar. 24	Correctly enrolled. Signed by President	775, 776
Mar. 31	Presented to Governor	860
Mar. 31	Approved by Governor	866

LEGISLATIVE BILL 33 **By Ogden**

Jan. 6	Read first time	44
Jan. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	47
Jan. 6	Notice of hearing	48
Jan. 20	Placed on General File	150
Jan. 22	Referred for review	183
Jan. 28	Placed on Select File	225
Feb. 1	Referred for engrossment	272
Feb. 12	Correctly engrossed	381
Feb. 19	Read third time and passed	456
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 34 **By Ogden**

Jan. 6	Read first time	44
Jan. 6	Read second time. Referred to Committee on Banking, Commerce and Insurance	47
Jan. 6	Notice of hearing	48
Jan. 13	Placed on General File	104
Jan. 14	Laid over	119
Jan. 18	Referred for review	136
Jan. 20	Placed on Select File	155
Jan. 25	Referred for engrossment	198
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	326
Feb. 10	Correctly enrolled. Signed by President	355
Feb. 11	Presented to Governor	367
Feb. 11	Approved by Governor	384

LEGISLATIVE BILL 35 **By Hanna**

Jan. 6	Read first time	44
Jan. 6	Read second time. Referred to Committee on Appropriations	47

		Page
Jan. 19	Notice of hearing	139
Jan. 26	Placed on General File	201
Jan. 28	Referred for review	236
Feb. 3	Placed on Select File	305
Feb. 4	Referred for engrossment	316
Feb. 10	Correctly engrossed	355
Feb. 17	Laid over	433
Feb. 19	Read third time and passed	455
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 36 By Bowman, Sorrell

Jan. 6	Read first time	45
Jan. 6	Read second time. Referred to Committee on Judiciary	47
Jan. 6	Notice of hearing	48
Jan. 26	Indefinitely postponed	201

LEGISLATIVE BILL 37 By Matzke

Jan. 6	Read first time	45
Jan. 6	Read second time. Referred to Committee on Judiciary	47
Jan. 6	Notice of hearing	48
Jan. 14	Placed on General File	114
Jan. 18	Read. Laid over	137
Jan. 19	Referred for review	147
Jan. 25	Placed on Select File	190
Jan. 26	Referred for engrossment	207
Jan. 27	Replaced on Select File	213
Jan. 28	Referred for engrossment	234
Feb. 3	Correctly engrossed	309
Feb. 10	Read third time and passed	357
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 38 By Raecke et al

Jan. 6	Read first time	45
Jan. 6	Read second time. Referred to Committee on Revenue	47
Jan. 6	Notice of hearing	48
Jan. 20	Notice of hearing	150

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Feb. 19	Placed on General File	449
Apr. 2	Committee report. Referred for review	872
Apr. 9	Placed on Select File	954
Apr. 12	Considered. Laid over	968
Apr. 13	Laid over	983
Apr. 15	Referred for engrossment	1009
May 3	Replaced on Select File. Referred for engrossment	1209, 1211
May 4	Replaced on Select File	1227
May 5	Referred for engrossment	1258
May 10	Correctly engrossed	1320
May 17	Laid over	1451
May 18	Read third time and passed	1495
May 19	Correctly enrolled. Signed by President	1513
May 20	Presented to Governor	1534
May 21	Approved by Governor	1591

LEGISLATIVE BILL 39 By Raecke, Rakow

Jan. 6	Read first time	45
Jan. 6	Read second time. Referred to Committee on Revenue	47
Jan. 6	Notice of hearing	48
Jan. 15	Placed on General File	121
Jan. 18	Referred for review	137
Jan. 20	Placed on Select File	156
Jan. 25	Referred for engrossment	198
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	325
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 40 By Mischke, Greenamyre

Jan. 7	Read first time	52
Jan. 7	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	57
Jan. 14	Notice of hearing	113
Feb. 4	Placed on General File	313
Feb. 5	Considered. Laid over	331
Feb. 9	Referred for review	349
Feb. 17	Placed on Select File	420
Feb. 18	Considered. Laid over	444
Feb. 19	Referred for engrossment	460
Feb. 23	Replaced on Select File	482

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Feb. 24	Referred for engrossment	496
Mar. 10	Correctly engrossed	644
Mar. 23	Read third time and passed	751
Mar. 25	Correctly enrolled. Signed by President	799, 800
Mar. 27	Approved by Governor	816
May 13	Statement	1410

LEGISLATIVE BILL 41 By Mischke, Greenamyre

Jan. 7	Read first time	53
Jan. 7	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	57
Jan. 14	Notice of hearing	113
Feb. 4	Placed on General File	314
Feb. 9	Referred for review	350
Feb. 17	Placed on Select File	424
Feb. 18	Considered. Laid over	445
Feb. 19	Considered. Laid over	460
Feb. 22	Referred for engrossment	477
Mar. 10	Correctly engrossed	644
Mar. 23	Read third time and passed	750
Mar. 25	Correctly enrolled. Signed by President	799, 800
Mar. 27	Approved by Governor	816
May 13	Statement	1410

LEGISLATIVE BILL 42 By Raecke

Jan. 7	Read first time	53
Jan. 7	Read second time. Referred to Committee on Judiciary	57
Jan. 12	Notice of hearing	86
Jan. 19	Placed on General File	139
Jan. 20	Referred for review	161
Jan. 25	Placed on Select File	191
Jan. 26	Referred for engrossment	207
Jan. 29	Correctly engrossed	240
Feb. 5	Read third time and passed	323
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 43 By Greenamyre, Lee

Jan. 7	Read first time	53
Jan. 7	Read second time. Referred to Committee on Banking, Commerce and Insurance	57

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Feb. 3	Notice of hearing	300
Mar. 8	Placed on General File	598
Apr. 20	Committee report	1063
May 13	Considered. Laid over	1413
May 14	Referred for review	1433
May 18	Placed on Select File	1490
May 19	Considered. Laid over	1508
May 20	Referred for engrossment	1535
May 25	Correctly engrossed	1638
May 27	Motion	1667
May 27	Read third time and passed	1679
May 27	Statement	1681
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 44 By Greenamyre

Jan. 7	Read first time	54
Jan. 7	Read second time. Referred to Committee on Revenue	57
Jan. 13	Notice of hearing	103
Jan. 14	Notice of hearing	112
Jan. 22	Placed on General File	172
Jan. 26	Referred for review	207
Feb. 3	Placed on Select File	308
Feb. 4	Referred for engrossment	317
Feb. 10	Correctly engrossed	355
Feb. 17	Read third time and passed	434
Feb. 19	Correctly enrolled. Signed by President	454
Feb. 20	Presented to Governor	467
Feb. 20	Approved by Governor	468

LEGISLATIVE BILL 45 By Greenamyre

Jan. 7	Read first time	54
Jan. 7	Read second time. Referred to Committee on Revenue	57
Jan. 13	Notice of hearing	103
Jan. 14	Notice of hearing	112
Jan. 22	Placed on General File	172
Jan. 26	Referred for review	208
Feb. 3	Placed on Select File	305
Feb. 4	Referred for engrossment	316
Feb. 11	Replaced on Select File	373
Feb. 12	Referred for engrossment	384

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Feb. 16	Opinion of Attorney General	412
Feb. 23	Correctly engrossed	483
Mar. 2	Replaced on Select File	534
Mar. 3	Referred for engrossment	564
Mar. 30	Replaced on Select File	838
Mar. 30	Referred for re-engrossment	841
Mar. 30	Correctly re-engrossed	842
Apr. 1	Motion	862
Apr. 1	Read third time and passed	863
Apr. 1	Correctly enrolled. Signed by President	865
Apr. 1	Presented to Governor	867
Apr. 1	Approved by Governor	867

LEGISLATIVE BILL 46 By Greenamyre

Jan. 7	Read first time	54
Jan. 7	Read second time. Referred to Committee on Judiciary	57
Jan. 12	Notice of hearing	86
Feb. 15	Placed on General File	390
Feb. 16	Referred for review	410
Mar. 3	Placed on Select File	546
Mar. 4	Referred for engrossment	578
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	757
Mar. 26	Correctly enrolled. Signed by President	809
Mar. 27	Presented to Governor	822
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 47 By Hubka

Jan. 7	Read first time	54
Jan. 7	Read second time. Referred to Committee on Labor and Public Welfare	57
Jan. 18	Notice of hearing	130
Feb. 4	Indefinitely postponed	314

LEGISLATIVE BILL 48 By Jeppesen

Jan. 7	Read first time	54
Jan. 7	Read second time. Referred to Committee on Banking, Commerce and Insurance	57
Jan. 20	Notice of hearing	149
Feb. 19	Placed on General File	451
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 49 By Peterson

		Page
Jan. 7	Read first time	55
Jan. 7	Read second time. Referred to Committee on Judiciary	57
Jan. 12	Notice of hearing	86
Jan. 21	Notice of hearing	163
Feb. 1	Indefinitely postponed	252

LEGISLATIVE BILL 50 By Peterson

Jan. 7	Read first time	55
Jan. 7	Read second time. Referred to Committee on Judiciary	57
Jan. 12	Notice of hearing	86
Jan. 21	Notice of hearing	163
Mar. 8	Placed on General File	603
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1170
May 10	Placed on Select File	1322
May 11	Referred for engrossment	1355
May 14	Correctly engrossed	1446
May 21	Read third time and passed	1553
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 25	Approved by Governor	1621

LEGISLATIVE BILL 51 By Committee on Appropriations

Jan. 7	Read first time	55
Jan. 7	Read second time. Referred to Committee on Appropriations	57
Jan. 7	Motion	59
Jan. 11	Placed on General File. Referred for review	79, 83
Jan. 13	Placed on Select File. Referred for engrossment	105, 110
Jan. 13	Replaced on Select File. Referred for engrossment	110, 111
Jan. 13	Correctly engrossed	111
Jan. 15	Read third time and passed	126
Jan. 15	Correctly enrolled. Signed by President	128
Jan. 16	Presented to Governor	187
Jan. 18	Approved by Governor	138

LEGISLATIVE BILL 52 By Committee on Appropriations

Jan. 7	Read first time	56

		Page
Jan. 7	Read second time. Referred to Committee on Appropriations	57
Jan. 7	Motion	59
Jan. 11	Placed on General File. Referred for review	79, 83
Jan. 13	Placed on Select File. Referred for engrossment	105, 110
Jan. 13	Replaced on Select File. Referred for engrossment	110, 111
Jan. 13	Correctly engrossed	111
Jan. 15	Read third time and passed	127
Jan. 15	Correctly enrolled. Signed by President	128
Jan. 16	Presented to Governor	187
Jan. 18	Approved by Governor	138

LEGISLATIVE BILL 53 By Foster

Jan. 7	Read first time	56
Jan. 7	Read second time. Referred to Committee on Labor and Public Welfare	57
Jan. 18	Notice of hearing	130
Feb. 4	Indefinitely postponed	314

LEGISLATIVE BILL 54 By Asimus

Jan. 7	Read first time	56
Jan. 7	Read second time. Referred to Committee on Revenue	57
Jan. 13	Referred to Committee on Government	105
Jan. 21	Notice of hearing	162
Feb. 22	Placed on General File	465
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 55 By Gantz

Jan. 8	Read first time	70
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 14	Notice of hearing	113
Jan. 15	Notice of hearing	121
Jan. 25	Placed on General File	190
Jan. 26	Referred for review	208
Feb. 3	Placed on Select File	305
Feb. 4	Referred for engrossment	316
Feb. 5	Replaced on Select File	322
Feb. 8	Referred for engrossment	337
Feb. 12	Correctly engrossed	381
Feb. 19	Laid over	457
Feb. 22	Replaced on Select File	471

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Feb. 22	Referred for engrossment	477
Feb. 26	Replaced on Select File	512
Mar. 1	Referred for engrossment	526
Mar. 8	Correctly engrossed	605
Mar. 18	Read third time and passed	687
Mar. 19	Correctly enrolled. Signed by President	699, 707
Mar. 20	Presented to Governor	718
Mar. 22	Approved by Governor	732

LEGISLATIVE BILL 56 By Cullingham

Jan. 8	Read first time	71
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 21	Notice of hearing	162
Feb. 24	Placed on General File	491
Apr. 2	Committee report	872
Apr. 2	Referred for review	873
Apr. 9	Placed on Select File	942
Apr. 12	Referred for engrossment	968
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1070
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 22	Approval by Governor	1102

LEGISLATIVE BILL 57 By Crosby

Jan. 8	Read first time	71
Jan. 8	Read second time. Referred to Committee on Banking, Commerce and Insurance	75
Jan. 14	Notice of hearing	113
Jan. 25	Placed on General File	187
Jan. 26	Referred for review	209
Feb. 5	Placed on Select File	321
Feb. 8	Referred for engrossment	336
Feb. 11	Replaced on Select File	373
Feb. 12	Referred for engrossment	383
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	532
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

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LEGISLATIVE BILL 58 By Crosby

Jan. 8	Read first time	71
Jan. 8	Read second time. Referred to Committee on Banking, Commerce and Insurance	75
Jan. 14	Notice of hearing	113
Jan. 25	Placed on General File	187
Jan. 27	Referred for review	218
Feb. 11	Placed on Select File	374
Feb. 12	Referred for engrossment	384
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	531
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 59 By Greenamyre

Jan. 8	Read first time	71
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Feb. 15	Placed on General File	391
Feb. 16	Referred for review	411
Feb. 26	Placed on Select File	514
Mar. 1	Referred for engrossment	527
Mar. 8	Replaced on Select File	605
Mar. 9	Referred for engrossment	627
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	758
Mar. 26	Correctly enrolled. Signed by President	809
Mar. 27	Presented to Governor	822
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 60 By Klaver

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Revenue	75
Jan. 27	Notice of hearing	210
Mar. 3	Placed on General File	542
Mar. 4	Motion	580
Mar. 9	Read and considered	629
Mar. 10	Motion	638
Mar. 16	Considered. Laid over	661
Mar. 17	Motion	674

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Mar. 18	Motion. Special order	695
Mar. 19	Referred for review	710
Mar. 30	Placed on Select File	835
Mar. 31	Considered. Laid over	849
Apr. 1	Considered. Laid over	865
Apr. 5	Laid over	878
Apr. 6	Laid over	887
Apr. 9	Replaced on General File	948
Apr. 9	Referred for review	951
Apr. 12	Replaced on Select File	964
Apr. 13	Referred for engrossment	985
Apr. 19	Correctly engrossed	1033
Apr. 26	Read third time and passed	1116
Apr. 28	Correctly enrolled	1167
Apr. 29	Signed by Speaker	1168
Apr. 30	Presented to Governor	1197
May 3	Approved by Governor	1227

LEGISLATIVE BILL 61 **By Mekota**

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 21	Notice of hearing	162
Feb. 1	Placed on General File	252
Feb. 4	Referred for review	317
Feb. 11	Placed on Select File	373
Feb. 12	Referred for engrossment	383
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	530
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 62 **By Mekota**

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 21	Notice of hearing	162
Feb. 1	Placed on General File	252
Feb. 4	Referred for review	317
Feb. 24	Placed on Select File	494
Feb. 25	Referred for engrossment	505
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	641

		Page
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 63 By Gantz

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Jan. 21	Notice of hearing	163
Feb. 1	Indefinitely postponed	252

LEGISLATIVE BILL 64 By Gantz

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Jan. 26	Indefinitely postponed	201

LEGISLATIVE BILL 65 By Gantz

Jan. 8	Read first time	72
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Jan. 21	Notice of hearing	163
Feb. 1	Indefinitely postponed	252

LEGISLATIVE BILL 66 By Crosby

Jan. 8	Read first time	73
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Jan. 25	Placed on General File	187
Jan. 27	Referred for review	218
Feb. 1	Placed on Select File	253
Feb. 2	Referred for engrossment	296
Feb. 10	Correctly engrossed	355
Feb. 17	Read third time and passed	432
Feb. 19	Correctly enrolled. Signed by President	454
Feb. 20	Presented to Governor	467
Feb. 20	Approved by Governor	468

LEGISLATIVE BILL 67 By Crosby

		Page
Jan. 8	Read first time	73
Jan. 8	Read second time. Referred to Committee on Judiciary	75
Jan. 12	Notice of hearing	86
Jan. 25	Placed on General File	188
Jan. 27	Referred for review	218
Feb. 3	Placed on Select File	306
Feb. 4	Referred for engrossment	316
Feb. 12	Correctly engrossed	381
Feb. 19	Read third time and passed	457
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 68 By Crosby

Jan. 8	Read first time	73
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 25	Notice of hearing	186
Mar. 1	Indefinitely postponed	520

LEGISLATIVE BILL 69 By Mueller

Jan. 8	Read first time	73
Jan. 8	Read second time. Referred to Committee on Government	75
Jan. 25	Notice of hearing	186
Feb. 15	Placed on General File	390
Feb. 16	Considered. Laid over	410
Feb. 17	Laid over	435
Feb. 23	Referred for review	486
Mar. 3	Placed on Select File	548
Mar. 4	Referred for engrossment	578
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	753
Mar. 25	Correctly enrolled. Signed by President	799, 800
Mar. 27	Approved by Governor	816

LEGISLATIVE BILL 70 By Mueller

Jan. 8	Read first time	74
Jan. 8	Read second time. Referred to Committee on Government	75

		Page
Jan. 25	Notice of hearing	186
Feb. 15	Placed on General File	390
Feb. 16	Referred for review	410
Feb. 19	Placed on Select File	451
Feb. 23	Referred for engrossment	484
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	640
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 71 By Garber

Jan. 8	Read first time	74
Jan. 8	Read second time. Referred to Committee on Public Works	75
Jan. 15	Notice of hearing	120
Feb. 18	Placed on General File	441
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 7	Considered. Laid over	1312
May 10	Referred for review	1336
May 13	Placed on Select File	1387
May 14	Referred for engrossment	1430
May 18	Correctly engrossed	1491
May 24	Read third time and passed	1599
May 24	Statement	1613
May 28	Correctly enrolled. Signed by President	1697
May 28	Presented to Governor	1714
May 29	Approved by Governor	1715

LEGISLATIVE BILL 72 By Garber

Jan. 8	Read first time	74
Jan. 8	Read second time. Referred to Committee on Public Works	75
Jan. 15	Notice of hearing	120
Feb. 18	Placed on General File	441
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 10	Considered. Laid over	1336
May 12	Referred for review	1383
May 13	Returned to General File	1413
May 14	Referred for review	1433
May 17	Placed on Select File	1464
May 18	Laid over	1483

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May 19	Referred for engrossment	1507
May 24	Correctly engrossed	1588
May 26	Motion	1646
May 26	Read third time and passed	1648
May 26	Correctly enrolled. Signed by President	1655, 1656
May 27	Statement	1681
May 27	Presented to Governor	1681
May. 27	Approved by Governor	1703

LEGISLATIVE BILL 73 By Mueller

Jan. 11	Read first time	80
Jan. 12	Read second time. Referred to Committee on Agriculture	100
Jan. 15	Notice of hearing	120
Jan. 20	Placed on General File	152
Jan. 22	Considered. Laid over	185
Jan. 25	Referred for review	198
Jan. 28	Placed on Select File	226
Feb. 1	Referred for engrossment	272
Feb. 12	Correctly engrossed	381
Feb. 19	Read third time and passed	458
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Mar. 1	Vetoed by Governor	525
Mar. 3	Passed over veto	563
Mar. 5	Signed by President	591
Mar. 5	Presented to Secretary of State	606

LEGISLATIVE BILL 74 By Asimus

Jan. 11	Read first time	80
Jan. 12	Read second time. Referred to Committee on Agriculture	100
Jan. 20	Notice of hearing	150
Feb. 2	Placed on General File	279
Feb. 4	Considered. Laid over	318
Feb. 5	Referred for review	329
Feb. 12	Placed on Select File	382
Feb. 15	Referred for engrossment	395
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	536
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 75 By Greenamyre

		Page
Jan. 11	Read first time	80
Jan. 12	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	100
Feb. 5	Notice of hearing	320
Feb. 11	Placed on General File	365
Feb. 12	Referred for review	387
Feb. 17	Placed on Select File	425
Feb. 18	Referred for engrossment	445
Feb. 24	Correctly engrossed	495
Mar. 3	Read third time and passed	562
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 76 By Hubka

Jan. 11	Read first time	80
Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 18	Notice of hearing	129
Feb. 1	Indefinitely postponed	251

LEGISLATIVE BILL 77 By Crosby

Jan. 11	Read first time	80
Jan. 12	Read second time. Referred to Committee on Public Works	101
Jan. 28	Notice of hearing	221
Feb. 15	Indefinitely postponed	393

LEGISLATIVE BILL 78 By Greenamyre

Jan. 12	Read first time	96
Jan. 12	Read second time. Referred to Committee on Agriculture	101
Jan. 20	Notice of hearing	150
Jan. 27	Indefinitely postponed	211

LEGISLATIVE BILL 79 By James H. Anderson

Jan. 12	Read first time	96
Jan. 12	Read second time. Referred to Committee on Government	101
Jan. 28	Notice of hearing	220
Jan. 29	Notice of hearing	239

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Feb. 22	Placed on General File	466
Apr. 30	Committee report. Referred for review	1194, 1196
May 5	Placed on Select File	1264
May 6	Considered. Laid over	1284
May 10	Referred for engrossment	1326
May 13	Replaced on Select File	1391
May 14	Considered. Laid over	1431
May 15	Referred for engrossment	1448
May 19	Correctly engrossed	1513
May 24	Read third time and passed	1606
May 24	Statement	1613
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 80 **By James H. Anderson**

Jan. 12	Read first time	96
Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 18	Notice of hearing	129
Jan. 26	Placed on General File	201
Jan. 28	Referred for review	235
Feb. 3	Placed on Select File	307
Feb. 4	Referred for engrossment	316
Feb. 10	Correctly engrossed	355
Feb. 17	Read third time and passed	435
Feb. 19	Correctly enrolled. Signed by President	454
Feb. 20	Presented to Governor	467
Feb. 20	Approved by Governor	468

LEGISLATIVE BILL 81 **By James H. Anderson**

Jan. 12	Read first time	96
Jan. 12	Read second time. Referred to Committee on Labor and Public Welfare	101
Jan. 15	Notice of hearing	120
Jan. 25	Notice of hearing	187
Mar. 3	Indefinitely postponed	539

LEGISLATIVE BILL 82 **By James H. Anderson**

Jan. 12	Read first time	97
Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 18	Notice of hearing	129

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Feb. 16	Placed on General File	398
Feb. 17	Considered. Laid over	436
Feb. 23	Referred for review	486
Mar. 4	Placed on Select File	574
Mar. 5	Referred for engrossment	593
Mar. 8	Replaced on Select File	605
Mar. 9	Referred for engrossment	627
Mar. 18	Correctly engrossed	684
Mar. 25	Read third time and passed	802
Mar. 25	Explanation of vote	803
Mar. 29	Correctly enrolled. Signed by President	822
Mar. 30	Presented to Governor	841
Mar. 31	Approved by Governor	849

LEGISLATIVE BILL 83 **By James H. Anderson**

Jan. 12	Read first time	97
Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 18	Notice of hearing	129
Jan. 26	Placed on General File	201
Jan. 28	Referred for review	235
Feb. 3	Placed on Select File	309
Feb. 4	Referred for engrossment	317
Feb. 15	Correctly engrossed	393
Feb. 22	Read third time and passed	474
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 26	Approved by Governor	519

LEGISLATIVE BILL 84 **By Thompson**

Jan. 12	Read first time	97
Jan. 12	Read second time. Referred to Committee on Education	101
Jan. 19	Notice of hearing	139
Jan. 27	Placed on General File	211
Jan. 28	Considered. Laid over	236
Feb. 2	Referred for review	297
Feb. 11	Placed on Select File	371
Feb. 12	Referred for engrossment	383
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	535
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 9	Presented to Governor	622
Mar. 9	Approved by Governor	637

LEGISLATIVE BILL 85 By Raecke, Greenamyre

		Page
Jan. 12	Read first time	97
Jan. 12	Read second time. Referred to Committee on Education	101
Jan. 19	Notice of hearing	139
Jan. 27	Placed on General File	211
Jan. 28	Referred for review	236
Feb. 3	Placed on Select File	307
Feb. 4	Referred for engrossment	317
Feb. 15	Correctly engrossed	393
Feb. 22	Read third time and passed	473
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508
May 25	Message from Governor	1634

LEGISLATIVE BILL 86 By Neubauer et al

Jan. 12	Read first time	97
Jan. 12	Read second time. Referred to Committee on Public Works	101
Jan. 14	Notice of hearing	112
Jan. 21	Placed on General File	163
Jan. 25	Referred for review	199
Jan. 28	Placed on Select File	227
Feb. 1	Referred for engrossment	272
Feb. 5	Replaced on Select File	322
Feb. 8	Referred for engrossment	337
Feb. 12	Correctly engrossed	381
Feb. 19	Read third time and passed	459
Feb. 22	Correctly enrolled. Signed by President	467, 468
Feb. 23	Presented by Governor	494
Feb. 24	Approved by Governor	496

LEGISLATIVE BILL 87 By Lee

Jan. 12	Read first time	98
Jan. 12	Read second time. Referred to Committee on Government	101
Jan. 28	Notice of hearing	220
Feb. 22	Indefinitely postponed	465

LEGISLATIVE BILL 88 By Raecke, Crossland

Jan. 12	Read first time	98
Jan. 12	Read second time. Referred to Committee on Revenue	101

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Jan. 15	Notice of hearing	120
Feb. 5	Indefinitely postponed	321

LEGISLATIVE BILL 89 By Mekota

Jan. 12	Read first time	98
Jan. 12	Read second time. Referred to Committee on Revenue	101
Jan. 15	Notice of hearing	120
Feb. 11	Placed on General File. Referred for review	363, 379
Feb. 19	Placed on Select File	452
Feb. 23	Referred for engrossment	484
Feb. 26	Replaced on Select File	513
Mar. 1	Referred for engrossment	526
Mar. 8	Correctly engrossed	605
Mar. 18	Read third time and passed	688
Mar. 22	Correctly enrolled. Signed by President	718, 719
Mar. 23	Presented to Governor	748
Mar. 27	Approved by Governor	816

LEGISLATIVE BILL 90 By Rakow

Jan. 12	Read first time	98
Jan. 12	Read second time. Referred to Committee on Agriculture	101
Jan. 15	Notice of hearing	120
Jan. 20	Placed on General File	151
Jan. 22	Referred for review	184
Jan. 27	Placed on Select File	212
Jan. 28	Referred for engrossment	234
Feb. 3	Correctly engrossed	309
Feb. 10	Read third time and passed	357
Feb. 12	Correctly enrolled. Signed by President	381, 382
Feb. 12	Presented to Governor	393
Feb. 13	Approved by Governor	394

LEGISLATIVE BILL 91 By Rakow, Thompson

Jan. 12	Read first time	98
Jan. 12	Read second time. Referred to Committee on Education	101
Jan. 19	Notice of hearing	139
Jan. 26	Notice of hearing	200
Feb. 3	Indefinitely postponed	301

LEGISLATIVE BILL 92 By Rakow, Thompson

Jan. 12	Read first time	99

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Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 19	Notice of hearing	139
Jan. 28	Indefinitely postponed	221

LEGISLATIVE BILL 93 By Rakow

Jan. 12	Read first time	99
Jan. 12	Read second time. Referred to Committee on Revenue	101
Jan. 15	Notice of hearing	120
Jan. 22	Indefinitely postponed	172

LEGISLATIVE BILL 94 By Matzke

Jan. 12	Read first time	99
Jan. 12	Read second time. Referred to Committee on Judiciary	101
Jan. 19	Notice of hearing	139
Apr. 6	Indefinitely postponed	882

LEGISLATIVE BILL 95 By Committee on Appropriations

Jan. 12	Read first time	99
Jan. 12	Read second time. Referred to Committee on Appropriations	101
Mar. 31	Placed on General File	850
Apr. 14	Considered. Laid over	991
Apr. 28	Referred for review	1152
May 3	Placed on Select File	1213
May 4	Considered. Laid over	1235
May 13	Referred for engrossment	1399
May 20	Correctly engrossed	1542
May 25	Read third time and passed	1626
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1674

LEGISLATIVE BILL 96 By Committee on Appropriations

Jan. 12	Read first time	99
Jan. 12	Read second time. Referred to Committee on Appropriations	101
Mar. 31	Placed on General File	851
Apr. 14	Considered. Laid over	992
Apr. 21	Considered. Laid over	1076, 1081
Apr. 22	Considered. Laid over	1087

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Apr. 23	Considered. Laid over	1100, 1102, 1105
Apr. 26	Considered. Laid over	1121
Apr. 27	Considered	1132
Apr. 28	Considered. Referred for review	1148, 1151
May 10	Placed on Select File	1322
May 13	Considered. Referred for engrossment	1400, 1405
May 17	Replaced on Select File	1473
May 18	Referred for engrossment	1485
May 21	Replaced on Select File. Referred for engrossment	1558, 1559
May 24	Motion	1573
May 24	Replaced on Select File. Referred for engrossment	1605, 1606
May 25	Correctly engrossed	1638
May 27	Motions	1667, 1675
May 27	Read third time and passed	1675
May 27	Statements	1676
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
June 2	Approved by Governor	1715

LEGISLATIVE BILL 97 By Matzke

Jan. 12	Read first time	99
Jan. 12	Read second time. Referred to Committee on Education	101
Jan. 19	Notice of hearing	139
Jan. 26	Notice of hearing	200
Feb. 2	Notice of hearing	279
Feb. 17	Placed on General File	415
Feb. 26	Considered. Laid over	516
Mar. 2	Laid over	537
Mar. 3	Notice of special order	564
Mar. 8	Notice of special order	612
Mar. 9	Laid over	628
Mar. 22	Referred for review	723
Mar. 23	Placed on Select File	748
Mar. 24	Referred for engrossment	777
Mar. 25	Correctly engrossed	799
Mar. 30	Read third time and passed	834
Mar. 30	Correctly enrolled. Signed by President	842,843
Mar. 30	Presented to Governor	845
Mar. 30	Approved by Governor	847
May 25	Message from Governor	1634

LEGISLATIVE BILL 98 By Matzke

		Page
Jan. 12	Read first time	100
Jan. 12	Read second time. Referred to Committee on Government	101
Feb. 12	Notice of hearing	381
Mar. 8	Indefinitely postponed	605

LEGISLATIVE BILL 99 By Doyle

Jan. 12	Read first time	100
Jan. 12	Read second time. Referred to Committee on Agriculture	101
Jan. 15	Notice of hearing	120
Jan. 20	Placed on General File	152
Jan. 22	Laid over	185
Jan. 26	Referred for review	208
Feb. 1	Placed on Select File	252
Feb. 2	Referred for engrossment	296
Feb. 5	Replaced on Select File	321
Feb. 8	Referred for engrossment	336
Feb. 15	Correctly engrossed	393
Feb. 22	Read third time and passed	472
Feb. 24	Correctly enrolled. Signed by President	496
Feb. 24	Presented to Governor	503
Feb. 25	Approved by Governor	508

LEGISLATIVE BILL 100 By Bowman et al

Jan. 13	Read first time	106
Jan. 14	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	118
Feb. 1	Notice of hearing	251
Feb. 18	Placed on General File	439
Mar. 24	Considered	779
Mar. 25	Notice of special order	804
Mar. 31	Referred for engrossment	850
Apr. 7	Placed on Select File	902
Apr. 8	Referred for engrossment	938
Apr. 13	Correctly engrossed	980
Apr. 20	Read third time and passed	1060
Apr. 20	Explanation of vote	1061
Apr. 22	Correctly enrolled. Signed by President	1083, 1085
Apr. 22	Presented to Governor	1104
Apr. 22	Approved by Governor	1102

LEGISLATIVE BILL 101 **By James H. Anderson et al**

		Page
Jan. 13	Read first time	106
Jan. 14	Read second time. Referred to Committee on Government	118
Feb. 4	Notice of hearing	313
Feb. 11	Notice of hearing	362
Mar. 1	Placed on General File	521
Apr. 20	Committee report	1063
Apr. 21	Considered. Laid over	1082
Apr. 22	Notice of special order. Motion	1090, 1092
Apr. 26	Notice of special order	1119
Apr. 27	Considered	1134
Apr. 28	Referred for review	1153
May 5	Placed on Select File	1270
May 10	Referred for engrossment	1326
May 17	Correctly engrossed	1451
May 24	Read third time and passed	1593
May 24	Correctly enrolled. Signed by President	1609, 1613
May 24	Statement	1613
May 25	Presented to Governor	1615
May 25	Approved by Governor	1621

LEGISLATIVE BILL 102 **By James H. Anderson et al**

Jan. 13	Read first time	106
Jan. 14	Read second time. Referred to Committee on Labor and Public Welfare	118
Jan. 25	Notice of hearing	187
Feb. 10	Notice of hearing	354
Feb. 16	Placed on General File	401
Feb. 24	Considered. Laid over	498
Feb. 25	Referred for review	505
Mar. 19	Placed on Select File	699
Mar. 22	Referred for engrossment	723
Mar. 30	Replaced on Select File	840
Mar. 31	Referred for engrossment	849
Mar. 31	Correctly engrossed	858
Apr. 7	Read third time and passed	916
Apr. 8	Statement	940
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 14	Approved by Governor	1011

LEGISLATIVE BILL 103 **By Foster**

Jan. 13	Read first time	107

		Page
Jan. 14	Read second time. Referred to Committee on Agriculture	118
Jan. 20	Notice of hearing	150
Jan. 27	Indefinitely postponed	211

LEGISLATIVE BILL 104 By Heiliger, Thomas

Jan. 13	Read first time	107
Jan. 14	Read second time. Referred to Committee on Revenue	118
Jan. 20	Notice of hearing	150
Jan. 29	Indefinitely postponed	239

LEGISLATIVE BILL 105 By Committee on Appropriations

Jan. 13	Read first time	107
Jan. 14	Read second time. Referred to Committee on Appropriations	118
Jan. 19	Notice of hearing	139
Jan. 26	Notice of hearing	201
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 106 By Committee on Appropriations

Jan. 13	Read first time	107
Jan. 14	Read second time. Referred to Committee on Appropriations	118
Jan. 19	Notice of hearing	139
Feb. 16	Placed on General File	402
Feb. 24	Considered. Laid over	499
Feb. 25	Laid over	505
Feb. 26	Laid over	515
Mar. 2	Laid over	537
Mar. 3	Laid over	564
Mar. 4	Laid over	579
Mar. 5	Laid over	593
Mar. 8	Laid over	612
Mar. 9	Laid over	628
Mar. 22	Opinion, Attorney General	725
Mar. 22	Laid over	732
Mar. 23	Considered	760
Mar. 24	Referred for review	778
Mar. 26	Placed on Select File	808
Mar. 30	Referred for engrossment	832
Apr. 1	Correctly engrossed	865
Apr. 8	Read third time and passed	933

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Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 12	Approved by Governor	972

LEGISLATIVE BILL 107 By Gantz

Jan. 13	Read first time	107
Jan. 14	Read second time. Referred to Committee on Judiciary	118
Jan. 21	Notice of hearing	163
Feb. 2	Placed on General File	279
Feb. 4	Referred for review	318
Feb. 18	Placed on Select File	443
Feb. 22	Referred for engrossment	478
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	646
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 108 By Gantz

Jan. 13	Read first time	108
Jan. 14	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	118
Mar. 10	Notice of hearing	631
Mar. 25	Indefinitely postponed	793

LEGISLATIVE BILL 109 By Reavis

Jan. 13	Read first time	108
Jan. 14	Read second time. Referred to Committee on Public Works	118
Jan. 20	Notice of hearing	149
Jan. 28	Indefinitely postponed	221

LEGISLATIVE BILL 110 By Reavis

Jan. 14	Read first time	115
Jan. 15	Read second time. Referred to Committee on Revenue	124
Jan. 20	Notice of hearing	150
Jan. 29	Placed on General File	239
Feb. 2	Referred for review	297
Feb. 17	Placed on Select File	426
Feb. 18	Referred for engrossment	445

		Page
Feb. 24	Correctly engrossed	495
Mar. 3	Read third time and passed	561
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 9	Approved by Governor	627

LEGISLATIVE BILL 111 By Peterson, Gantz

Jan. 14	Read first time	115
Jan. 15	Read second time. Referred to Committee on Government	124
Mar. 8	Notice of hearing	596
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 112 By Peterson

Jan. 14	Read first time	115
Jan. 15	Read second time. Referred to Committee on Government	124
Feb. 4	Notice of hearing	313
Feb. 22	Placed on General File	465
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1124
Apr. 30	Placed on Select File	1193
May 3	Referred for engrossment	1212
May 6	Correctly engrossed	1296
May 13	Read third time and passed	1393
May 14	Correctly enrolled	1426
May 15	Signed by Speaker	1447
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 113 By Committee on Public Works

Jan. 14	Read first time	116
Jan. 15	Read second time. Referred to Committee on Public Works	124
Jan. 20	Notice of hearing	149
Jan. 28	Placed on General File	221
Feb. 2	Referred for review	297
Feb. 11	Placed on Select File	369
Feb. 12	Referred for engrossment	383
Feb. 24	Correctly engrossed	495
Mar. 3	Read third time and passed	560
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 9	Approved by Governor	627

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LEGISLATIVE BILL 114 By Greenamyre

Jan. 14	Read first time	116
Jan. 15	Read second time. Referred to Committee on Labor and Public Welfare	124
Jan. 25	Notice of hearing	187
Feb. 16	Indefinitely postponed	402

LEGISLATIVE BILL 115 By Greenamyre

Jan. 14	Read first time	116
Jan. 15	Read second time. Referred to Committee on Banking, Commerce and Insurance	124
Jan. 25	Notice of hearing	186
Feb. 19	Indefinitely postponed	451

LEGISLATIVE BILL 116 By Gutoski, Tvrdik

Jan. 14	Read first time	116
Jan. 15	Read second time. Referred to Commiteee on Labor and Public Welfare	124
Jan. 25	Notice of hearing	187
Feb. 17	Placed on General File	414
Feb. 26	Referred for review	516
Mar. 3	Placed on Select File	549
Mar. 4	Referred for engrossment	578
Mar. 10	Correctly engrossed	644
Mar. 22	Read third time and passed	722
Mar. 24	Correctly enrolled. Signed by President	775, 776
Mar. 25	Presented to Governor	799
Mar. 27	Approved by Governor	816

LEGISLATIVE BILL 117 By Tvrdik et al

Jan. 14	Read first time	117
Jan. 15	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	124
Feb. 11	Notice of hearing	362
Mar. 19	Placed on General File	698
Apr. 30	Committee report	1194
May 19	Motion	1509
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 118 By Klaver

Jan. 14	Read first time	117
Jan. 15	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	124

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Feb. 1	Notice of hearing	251
Feb. 4	Notice of hearing	313
Feb. 25	Indefinitely postponed	504

LEGISLATIVE BILL 119 By Klaver

Jan. 14	Read first time	117
Jan. 15	Read second time. Referred to Committee on Revenue	124
Jan. 20	Notice of hearing	150
Feb. 3	Placed on General File	301
Feb. 5	Considered. Laid over	330
Feb. 9	Indefinitely postponed	348

LEGISLATIVE BILL 120 By Hubka

Jan. 14	Read first time	117
Jan. 15	Read second time. Referred to Committee on Labor and Public Welfare	124
Jan. 25	Notice of hearing	187
Mar. 16	Indefinitely postponed	650

LEGISLATIVE BILL 121 By Doyle

Jan. 14	Read first time	117
Jan. 15	Read second time. Referred to Committee on Agriculture	124
Jan. 20	Notice of hearing	150
Jan. 27	Indefinitely postponed	211

LEGISLATIVE BILL 122 By Weborg

Jan. 15	Read first time	122
Jan. 18	Read second time. Referred to Committee on Education	136
Jan. 26	Notice of hearing	200
Feb. 16	Indefinitely postponed	401

LEGISLATIVE BILL 123 By Sorrell

Jan. 15	Read first time	122
Jan. 18	Read second time. Referred to Committee on Government	136
Feb. 1	Notice of hearing	250
Feb. 22	Placed on General File	465
Apr. 30	Committee report	1194
May 19	Referred for review	1514

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May 21	Placed on Select File	1566
May 22	Referred for engrossment	1571
May 25	Correctly engrossed	1616
May 27	Motion	1667
May 27	Read third time and passed	1671
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 124 By Thomas et al

Jan. 15	Read first time	122
Jan. 18	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	136
Feb. 4	Notice of hearing	313
Apr. 13	Motion	982
Apr. 14	Indefinitely postponed	1002

LEGISLATIVE BILL 125 By Committee on Agriculture

Jan. 15	Read first time	122
Jan. 18	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	136
Jan. 19	Rereferred to Committee on Agriculture	146
Jan. 27	Notice of hearing	210
Feb. 3	Placed on General File	301
Feb. 4	Referred for review	318
Feb. 12	Placed on Select File	381
Feb. 15	Referred for engrossment	395
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	533
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 126 By Lee et al

Jan. 15	Read first time	122
Jan. 18	Read second time. Referred to Committee on Government	136
Jan. 28	Notice of hearing	220
Feb. 22	Indefinitely postponed	465

LEGISLATIVE BILL 127 By Craven et al

Jan. 15	Read first time	123

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Jan. 18	Read second time. Referred to Committee on Labor and Public Welfare	136
Jan. 25	Notice of hearing	187
Feb. 10	Notice of hearing	354
Mar. 3	Placed on General File	539
Apr. 30	Committee report	1194
May 19	Motion	1510
May 19	Indefinitely postponed	1514
May 20	Motion	1537

LEGISLATIVE BILL 128 By Cullingham

Jan. 15	Read first time	123
Jan. 18	Read second time. Referred to Committee on Government	136
Jan. 18	Rereferred to Committee on Public Works	136
Jan. 25	Notice of hearing	186
Jan. 26	Notice of hearing	201
Feb. 17	Notice of hearing	414
Mar. 8	Indefinitely postponed	606

LEGISLATIVE BILL 129 By Asimus

Jan. 15	Read first time	123
Jan. 18	Read second time. Referred to Committee on Revenue	136
Jan. 22	Notice of hearing	172
Feb. 24	Indefinitely postponed	491
Mar. 18	Placed on General File	694
Mar. 19	Notice of hearing	696
Mar. 31	Indefinitely postponed	854
Apr. 13	Motion	987
Apr. 28	Motion	1147
Apr. 29	Request. Referred for review	1176, 1177
May 5	Placed on Select File	1250
May 6	Referred for engrossment	1283
May 10	Replaced on Select File	1321
May 11	Referred for engrossment	1355
May 12	Correctly engrossed	1368
May 19	Read third time and passed	1503
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 24	Approved by Governor	1598

LEGISLATIVE BILL 130 By Neubauer, Carmody

Jan. 15	Read first time	123

		Page
Jan. 18	Read second time. Referred to Committee on Public Works	136
Jan. 22	Notice of hearing	172
Feb. 11	Placed on General File	366
Feb. 15	Laid over	396
Feb. 16	Laid over	410
Feb. 17	Laid over	435
Feb. 18	Considered. Laid over	446
Feb. 23	Referred for review	485
Mar. 16	Placed on Select File	654
Mar. 17	Referred for engrossment	672
Mar. 22	Correctly engrossed	718
Mar. 29	Read third time and passed	823
Mar. 31	Correctly enrolled. Signed by President	845, 846
Apr. 2	Presented to Governor	883
Apr. 7	Vetoed by Governor	925

LEGISLATIVE BILL 131 By Asimus, Ogden

Jan. 18	Read first time	134
Jan. 19	Read second time. Referred to Committee on Public Works	146
Mar. 2	Notice of hearing	528
Mar. 19	Indefinitely postponed	699

LEGISLATIVE BILL 132 By Mueller

Jan. 18	Read first time	134
Jan. 19	Read second time. Referred to Committee on Agriculture	146
Jan. 22	Notice of hearing	171
Mar. 3	Placed on General File	545
Apr. 5	Committee report. Referred for review	879, 880
Apr. 9	Placed on Select File	942
Apr. 12	Referred for engrossment	967
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1071
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 23	Vetoed by Governor	1104
Apr. 27	Motion	1131

LEGISLATIVE BILL 133 By Hanna

Jan. 18	Read first time	134
Jan. 19	Read second time. Referred to Committee on Agriculture	146

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Jan. 22	Notice of hearing	171
Feb. 1	Placed on General File	251
Feb. 4	Referred for review	317
Feb. 11	Placed on Select File	370
Feb. 12	Referred for engrossment	383
Feb. 25	Correctly engrossed	501
Mar. 4	Read third time and passed	577
Mar. 4	Statements	578
Mar. 8	Correctly enrolled. Signed by President	605, 606
Mar. 9	Presented to Governor	622
Mar. 9	Approved by Governor	627

LEGISLATIVE BILL 134 By Garber

Jan. 18	Read first time	134
Jan. 19	Read second time. Referred to Committee on Agriculture	146
Jan. 22	Notice of hearing	171
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 135 By Neubauer

Jan. 18	Read first time	134
Jan. 19	Read second time. Referred to Committee on Revenue	146
Feb. 12	Notice of hearing	380
Mar. 31	Indefinitely postponed	858

LEGISLATIVE BILL 136 By Committee on Public Works

Jan. 18	Read first time	135
Jan. 19	Read second time. Referred to Committee on Public Works	146
Jan. 22	Notice of hearing	172
Mar. 4	Placed on General File	574
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1516

LEGISLATIVE BILL 137 By Raecke et al

Jan. 18	Read first time	135
Jan. 19	Read second time. Referred to Committee on Revenue	146
Jan. 22	Notice of hearing	172
Feb. 17	Placed on General File	418
Mar. 4	Indefinitely postponed	579

LEGISLATIVE BILL 138 By Gutoski

		Page
Jan. 18	Read first time	135
Jan. 19	Read second time. Referred to Committee on Government	146
Feb. 4	Notice of hearing	313
Mar. 5	Placed on General File	584
Apr. 30	Committee report	1194
May 19	Referred for review	1516
May 24	Placed on Select File. Referred for engrossment	1577, 1590
May 26	Correctly engrossed	1654
May 28	Motion. Read third time and passed	1692, 1693
May 28	Correctly enrolled. Signed by President	1712
May 28	Presented to Governor	1714
June 1	Approved by Governor	1715

LEGISLATIVE BILL 139 By Rakow et al

Jan. 18	Read first time	135
Jan. 19	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	146
Feb. 4	Notice of hearing	313
Apr. 13	Motion	982
Apr. 14	Placed on General File	1001
Apr. 20	Committee report	1063
Apr. 22	Referred for review	1086
May 3	Placed on Select File	1198
May 4	Referred for engrossment	1235
May 6	Replaced on Select File	1292
May 7	Referred for engrossment	1302
May 11	Request	1355
May 14	Correctly engrossed	1426
May 21	Read third time and passed	1549
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 25	Approved by Governor	1633

LEGISLATIVE BILL 140 By Cullingham

Jan. 18	Read first time	136
Jan. 19	Read second time. Referred to Committee on Judiciary	146
Jan. 26	Notice of hearing	200
Feb. 16	Placed on General File	400
Feb. 24	Referred for review	497
Mar. 3	Placed on Select File	549

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Mar. 4	Referred for engrossment	578
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	753
Mar. 26	Motion	810
Mar. 26	Rereferred to Select File	810
Mar. 29	Referred for engrossment	827
Mar. 31	Correctly re-engrossed	858
Apr. 7	Read third time and passed	917
Apr. 8	Statement	940
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 13	Approved by Governor	982

LEGISLATIVE BILL 141 By Heiliger

Jan. 19	Read first time	143
Jan. 20	Read second time. Referred to Committee on Appropriations	160
Jan. 26	Notice of hearing	201
Feb. 16	Placed on General File	403
Feb. 25	Referred for review	505
Mar. 3	Placed on Select File	550
Mar. 4	Referred for engrossment	578
Mar. 16	Correctly engrossed	657
Mar. 23	Laid over	754
Mar. 25	Rereferred to Select File	800
Mar. 25	Laid over	804
Mar. 26	Laid over	812
Mar. 29	Replaced on General File. Referred for review	827, 828
Mar. 30	Replaced on Select File	840
Mar. 31	Referred for engrossment	849
Apr. 2	Replaced on Select File	871
Apr. 5	Referred for engrossment	879
Apr. 7	Correctly engrossed	896
Apr. 14	Read third time and passed	990
Apr. 14	Correctly enrolled	1001
Apr. 15	Signed by President	1007
Apr. 21	Presented to Governor	1077
Apr. 23	Approved by Governor	1105

LEGISLATIVE BILL 142 By Osborne

Jan. 19	Read first time	144
Jan. 20	Read second time. Referred to Committee on Government	160
Jan. 25	Notice of hearing	186

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Feb. 8	Indefinitely postponed	334
Feb. 8	Motion	335

LEGISLATIVE BILL 143 By Committee on Judiciary

Jan. 19	Read first time	144
Jan. 20	Read second time. Referred to Committee on Judiciary	160
Jan. 25	Notice of hearing	187
Feb. 1	Notice of hearing	250
Mar. 18	Indefinitely postponed	679

LEGISLATIVE BILL 144 By Committee on Judiciary

Jan. 19	Read first time	144
Jan. 20	Read second time. Referred to Committee on Judiciary	160
Jan. 25	Notice of hearing	187
Feb. 1	Notice of hearing	250
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 145 By Committee on Judiciary

Jan. 19	Read first time	144
Jan. 20	Read second time. Referred to Committee on Judiciary	160
Jan. 25	Notice of hearing	187
Feb. 1	Notice of hearing	250
Mar. 18	Placed on General File	677
Mar. 19	Notice of special order	707
Apr. 20	Committee report	1063
Apr. 22	Notice of special order	1092
Apr. 26	Notice of special order	1119
Apr. 28	Considered	1154
Apr. 29	Considered	1179
Apr. 30	Explanation	1182
Apr. 30	Notice of special order	1193
May 3	Considered	1223, 1226
May 4	Considered. Referred for review	1235, 1239
May 10	Placed on Select File	1338
May 11	Considered. Referred for engrossment	1356, 1362
May 14	Correctly engrossed	1446
May 21	Read third time and passed	1551
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 28	Approved by Governor	1704

LEGISLATIVE BILL 146 By Hubka

		Page
Jan. 19	Read first time	144
Jan. 20	Read second time. Referred to Committee on Revenue	161
Jan. 22	Notice of hearing	172
Feb. 19	Indefinitely postponed	449

LEGISLATIVE BILL 147 By Garber

Jan. 19	Read first time	145
Jan. 20	Read second time. Referred to Committee on Revenue	161
Jan. 22	Notice of hearing	172
Feb. 17	Placed on General File	418
Mar. 2	Motion	530
Mar. 5	Referred for review	593
Mar. 17	Placed on Select File	669
Mar. 18	Considered. Laid over	694
Mar. 19	Referred for engrossment	709
Mar. 29	Replaced on Select File	827
Mar. 29	Referred for engrossment	828
Mar. 29	Replaced on Select File	828
Mar. 30	Referred for engrossment	833
Apr. 1	Replaced on Select File	860
Apr. 2	Referred for engrossment	872
Apr. 5	Correctly engrossed	877
Apr. 12	Laid over	967
Apr. 13	Laid over	981
Apr. 15	Read third time and passed	1008
Apr. 15	Correctly enrolled. Signed by Speaker	1016
Apr. 16	Presented to Governor	1032
Apr. 16	Approved by Governor	1048
May 25	Message from Governor	1634

LEGISLATIVE BILL 148 By Rakow, Hanna

Jan. 19	Read first time	145
Jan. 20	Read second time. Referred to Committee on Revenue	161
Jan. 22	Notice of hearing	172
Feb. 26	Indefinitely postponed	509

LEGISLATIVE BILL 149 By Ogden et al

Jan. 19	Read first time	145
Jan. 20	Read second time. Referred to Committee	

		Page
	on Public Health and Miscellaneous Subjects	161
Feb. 5	Notice of hearing	320
Feb. 11	Placed on General File	365
Feb. 12	Referred for review	387
Feb. 26	Placed on Select File	513
Mar. 1	Referred for engrossment	527
Mar. 8	Correctly engrossed	605
Mar. 18	Laid over	689
Mar. 23	Read third time and passed	750
Mar. 26	Correctly enrolled. Signed by President	809
Mar. 27	Presented to Governor	822
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 150 By Doyle

Jan. 19	Read first time	145
Jan. 20	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	161
Feb. 1	Notice of hearing	251
Feb. 18	Placed on General File	439
Mar. 24	Referred for review	779
Mar. 26	Placed on Select File	808
Mar. 30	Referred for engrossment	831
Apr. 2	Correctly engrossed	871
Apr. 9	Read third time and passed	946
Apr. 12	Correctly enrolled. Signed by President	961, 965
Apr. 13	Presented to Governor	984
Apr. 14	Approved by Governor	999

LEGISLATIVE BILL 151 By Greenamyre

Jan. 19	Read first time	145
Jan. 20	Read second time. Referred to Committee on Appropriations	161
Jan. 26	Notice of hearing	201
Apr. 2	Indefinitely postponed	870

LEGISLATIVE BILL 152 By Thompson, Rakow

Jan. 20	Read first time	157
Jan. 21	Read second time. Referred to Committee on Public Works	168
Jan. 26	Notice of hearing	201
Feb. 4	Notice of hearing	313
Feb. 15	Placed on General File	392
Feb. 16	Considered. Laid over	411

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Feb. 17	Referred for review	435
Mar. 3	Placed on Select File	551
Mar. 4	Referred for engrossment	579
Mar. 16	Correctly engrossed	657
Mar. 23	Replaced on Select File	760
Mar. 24	Referred for engrossment	777
Mar. 26	Replaced on Select File	807
Mar. 29	Referred for engrossment	827
Mar. 31	Correctly re-engrossed	845
Apr. 7	Read third time and passed	915
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 13	Approved by Governor	982

LEGISLATIVE BILL 153 By Raecke et al

Jan. 20	Read first time	157
Jan. 21	Read second time. Referred to Committee on Government	168
Jan. 28	Notice of hearing	220
Feb 22	Placed on General File	464
Apr. 30	Committee report. Considered. Laid over	1194, 1195
May 3	Referred for review	1220
May 12	Placed on Select File	1371
May 13	Referred for engrossment	1395
May 21	Correctly engrossed	1564
May 25	Motion	1628
May 25	Replaced on Select File. Referred for engrossment	1632, 1633
May 26	Replaced on Select File. Referred for engrossment	1651, 1652
May 26	Correctly engrossed	1655
May 28	Motion. Read third time and passed	1692, 1698
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
May 28	Approved by Governor	1712

LEGISLATIVE BILL 154 By Raecke

Jan. 20	Read first time	157
Jan. 21	Read second time. Referred to Committee on Revenue	168
Jan. 27	Notice of hearing	210
Feb. 17	Placed on General File	418
Mar. 3	Referred for review	564
Mar. 5	Placed on Select File	588

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Mar. 8	Referred for engrossment	611
Mar. 10	Correctly engrossed	644
Mar. 22	Read third time and passed	721
Mar. 22	Statement	722
Mar. 24	Correctly enrolled. Signed by President	775, 776
Mar. 25	Presented to Governor	799
Mar. 27	Approved by Governor	816

LEGISLATIVE BILL 155 By Sorrell

Jan. 20	Read first time	157
Jan. 21	Read second time. Referred to Committee on Public Works	168
Jan. 28	Notice of hearing	221
Feb. 18	Indefinitely postponed	441
Mar. 4	Returned to Committee on Public Works	575
Mar. 19	Placed on General File	698
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1176
May 5	Placed on Select File	1254
May 6	Referred for engrossment	1283
May 11	Replaced on Select File	1356
May 12	Referred for engrossment	1377
May 13	Correctly engrossed	1414
May 20	Read third time and passed	1530
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1598

LEGISLATIVE BILL 156 By Klaver, Gantz

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Judiciary	168
Jan. 25	Notice of hearing	187
Jan. 25	Rereferred to Committee on Labor and Public Welfare	197
Feb. 10	Notice of hearing	354
Mar. 3	Indefinitely postponed	539

LEGISLATIVE BILL 157 By Craven

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Revenue	168
Jan. 27	Notice of hearing	210
Feb. 24	Placed on General File	491

		Page
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1125
Apr. 30	Placed on Select File	1192
May 3	Referred for engrossment	1212
May 7	Correctly engrossed	1308
May 14	Read third time and passed	1428
May 15	Correctly enrolled. Signed by Speaker	1450
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 158 By Gantz

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Public Works	168
Jan. 28	Notice of hearing	221
Feb. 11	Placed on General File	366
Feb. 15	Referred for review	396
Feb. 17	Placed on Select File	427
Feb. 22	Referred for engrossment	478
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	640
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 159 By Gantz

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	168
Mar. 4	Notice of hearing	571
Mar. 5	Rereferred to Committee on Agriculture	592
Mar. 18	Indefinitely postponed	679

LEGISLATIVE BILL 160 By Gantz

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	168
Mar. 1	Notice of hearing	520
Mar. 22	Placed on General File	714
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1176
May 3	Placed on Select File	1213
May 5	Referred for engrossment	1256

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May 5	Replaced on Select File	1258
May 6	Referred for engrossment	1283
May 11	Replaced on Select File. Referred for engrossment	1354, 1363
May 13	Replaced on Select File	1387
May 14	Referred for engrossment	1430
May 17	Correctly engrossed	1451
May 24	Read third time and passed	1593
May 24	Correctly enrolled. Signed by President	1609, 1613
May 24	Statement	1613
May 25	Presented to Governor	1615
May 25	Approved by Governor	1633

LEGISLATIVE BILL 161 By Craven

Jan. 20	Read first time	158
Jan. 21	Read second time. Referred to Committee on Labor and Public Welfare	168
Mar. 30	Notice of hearing	830
Apr. 8	Indefinitely postponed	932

LEGISLATIVE BILL 162 By Craven, Peterson

Jan. 20	Read first time	159
Jan. 21	Read second time. Referred to Committee on Judiciary	168
Jan. 28	Notice of hearing	220
Feb. 16	Placed on General File	400
Feb. 24	Referred for review	497
Feb. 26	Placed on Select File	510
Mar. 1	Referred for engrossment	526
Mar. 8	Correctly engrossed	605
Mar. 18	Read third time and passed	689
Mar. 19	Correctly enrolled. Signed by President	699, 707
Mar. 20	Presented to Governor	718
Mar. 22	Approved by Governor	732

LEGISLATIVE BILL 163 By Peterson et al

Jan. 20	Read first time	159
Jan. 21	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	168
Feb. 5	Notice of hearing	320
Feb. 11	Placed on General File	366
Feb. 12	Referred for review	387
Feb. 17	Placed on Select File	428

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Feb. 18	Referred for engrossment	445
Feb. 24	Correctly engrossed	495
Mar. 3	Read third time and passed	561
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 164 By Heiliger

Jan. 20	Read first time	159
Jan. 21	Read second time. Referred to Committee on Public Health and Miscellaneous Subjects	168
Mar. 10	Notice of hearing	631
Mar. 25	Indefinitely postponed	793

LEGISLATIVE BILL 165 By Craven

Jan. 20	Read first time	159
Jan. 21	Read second time. Referred to Committee on Judiciary	168
Jan. 28	Notice of hearing	220
Feb. 16	Placed on General File	400
Feb. 24	Referred for review	497
Mar. 3	Placed on Select File	552
Mar. 4	Referred for engrossment	579
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	754
Mar. 23	Statement	756
Mar. 25	Correctly enrolled. Signed by President	799, 800
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 166 By Peterson et al

Jan. 20	Read first time	159
Jan. 21	Read second time. Referred to Committee on Agriculture	168
Jan. 27	Notice of hearing	210
Feb. 25	Placed on General File	500
Apr. 5	Committee report. Laid over	879, 880
Apr. 9	Referred for review	946
Apr. 12	Placed on Select File	962
Apr. 13	Motion	983
Apr. 13	Replaced on General File. Referred for review	985, 986
Apr. 14	Replaced on Select File	1000
Apr. 15	Referred for engrossment	1010
Apr. 20	Correctly engrossed	1059

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Apr. 27	Considered. Laid over	1129
Apr. 28	Replaced on Select File. Referred for engrossment	1145, 1146
Apr. 28	Replaced on Select File	1166
Apr. 29	Referred for engrossment	1168
May 3	Correctly re-engrossed	1220
May 10	Message from Governor	1328
May 11	Read third time and passed	1345
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 17	Vetoed by Governor	1461
May 28	Statement	1692

LEGISLATIVE BILL 167 By Dooley et al

Jan. 20	Read first time	160
Jan. 21	Read second time. Referred to Committee on Public Works	168
Jan. 28	Notice of hearing	221
Mar. 4	Placed on General File	572
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1128
Apr. 30	Placed on Select File	1192
May 3	Referred for engrossment	1211
May 7	Correctly engrossed	1308
May 14	Read third time and passed	1428
May 15	Correctly enrolled. Signed by Speaker	1450
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 168 By Lee et al

Jan. 20	Read first time	160
Jan. 21	Read second time. Referred to Committee on Agriculture	168
Jan. 27	Notice of hearing	210
Feb. 26	Indefinitely postponed	510

LEGISLATIVE BILL 169 By Carmody et al

Jan. 21	Read first time	164
Jan. 22	Referred to Committee on Agriculture	176
Feb. 10	Notice of hearing	353
Feb. 22	Placed on General File	464
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 170 By Crossland

		Page
Jan. 21	Read first time	164
Jan. 22	Referred to Committee on Public Works	176
Jan. 28	Notice of hearing	221
Feb. 11	Placed on General File	366
Feb. 12	Considered. Laid over	387
Feb. 15	Laid over	396
Feb. 16	Referred for review	408
Feb. 26	Placed on Select File	510
Mar. 1	Referred for engrossment	526
Mar. 8	Correctly engrossed	605
Mar. 18	Read third time and passed	690
Mar. 22	Correctly enrolled. Signed by President	718, 719
Mar. 23	Presented to Governor	748
Mar. 24	Approved by Governor	782

LEGISLATIVE BILL 171 By James H. Anderson

Jan. 21	Read first time	164
Jan. 22	Referred to Committee on Public Works	176
Jan. 28	Notice of hearing	221
Feb. 15	Placed on General File	393
Feb. 16	Considered. Laid over	412
Feb. 17	Referred for review	436
Feb. 25	Placed on Select File	502
Feb. 26	Referred for engrossment	515
Mar. 3	Correctly engrossed	555
Mar. 10	Recommitted for correction	639
Mar. 10	Replaced on Select File	643
Mar. 16	Considered. Laid over	661
Mar. 17	Referred for engrossment	672
Mar. 19	Correctly re-engrossed	699
Mar. 26	Read third time and passed	810
Mar. 26	Statement	811
Apr. 2	Correctly enrolled. Signed by President	871
Apr. 2	Presented to Governor	883
Apr. 7	Approved by Governor	922

LEGISLATIVE BILL 172 By James H. Anderson

Jan. 21	Read first time	164
Jan. 22	Referred to Committee on Government	176
Feb. 4	Notice of hearing	313
Feb. 22	Placed on General File	465
Apr. 2	Committee report	872

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Apr. 2	Referred for review	873
Apr. 7	Placed on Select File	897
Apr. 8	Referred for engrossment	937
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1044
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 173 By Mueller et al

Jan. 21	Read first time	164
Jan. 22	Referred to Committee on Agriculture	176
Jan. 27	Notice of hearing	210
Feb. 3	Placed on General File	301
Feb. 5	Considered. Laid over	330
Feb. 8	Indefinitely postponed	337
May 11	Motion	1354
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 174 By Carmody et al

Jan. 21	Read first time	165
Jan. 22	Referred to Committee on Agriculture	176
Feb. 10	Notice of hearing	353
Feb. 17	Placed on General File	419
Mar. 8	Considered. Laid over	613
Mar. 9	Referred for review	627
Mar. 25	Placed on Select File	794
Mar. 26	Referred for engrossment	811
Mar. 29	Replaced on Select File	821
Mar. 30	Referred for engrossment	832
Apr. 5	Correctly engrossed	877
Apr. 12	Considered. Laid over	967
Apr. 13	Read third time and passed	981
Apr. 14	Correctly enrolled. Signed by President	988, 989
Apr. 14	Presented to Governor	1001
Apr. 14	Approved by Governor	1011

LEGISLATIVE BILL 175 By Burnham

Jan. 21	Read first time	165
Jan. 22	Referred to Committee on Government	176
Feb. 12	Notice of hearing	381
Mar. 1	Indefinitely postponed	521

LEGISLATIVE BILL 176 By Hubka

		Page
Jan. 21	Read first time	165
Jan. 22	Referred to Committee on Banking, Commerce and Insurance	176
Feb. 3	Notice of hearing	300
Mar. 8	Placed on General File	597
Apr. 20	Committee report	1063
May 7	Laid over	1314
May 12	Referred for review	1385
May 14	Motion. Placed on Select File	1436, 1442
May 18	Considered. Laid over	1483
May 18	Referred for engrossment	1488
May 24	Replaced on Select File. Referred for engrossment	1588, 1591
May 24	Correctly engrossed	1612
May 26	Motion	1646
May 26	Read third time and passed	1649
May 26	Correctly enrolled. Signed by President	1654
May 27	Statements	1680, 1681
May 27	Presented to Governor	1681
May 28	Approved by Governor	1704

LEGISLATIVE BILL 177 By Thomas

Jan. 21	Read first time	165
Jan. 22	Referred to Committee on Public Health and Miscellaneous Subjects	176
Feb. 8	Rereferred to Committee on Appropriations	336
Feb. 10	Notice of hearing	353
Feb. 16	Placed on General File	408
Feb. 26	Considered. Laid over	516
Mar. 2	Considered. Laid over	537
Mar. 3	Laid over. Referred for review	564, 565
Mar. 5	Placed on Select File	588
Mar. 8	Referred for engrossment	612
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	755
Mar. 23	Statements	756
Mar. 25	Correctly enrolled. Signed by President	799, 800
Mar. 27	Approved by Governor	816

LEGISLATIVE BILL 178 By Lee

Jan. 21	Read first time	166
Jan. 22	Referred to Committee on Banking,	

		Page
	Commerce and Insurance	176
Jan. 29	Notice of hearing	238
Feb. 10	Placed on General File	354
Feb. 11	Referred for review	378
Feb. 17	Placed on Select File	428
Feb. 18	Referred for engrossment	445
Feb. 23	Replaced on Select File	482
Feb. 24	Referred for engrossment	496
Mar. 2	Correctly engrossed	530
Mar. 9	Read third time and passed	626
Mar. 10	Correctly enrolled. Signed by President	644
Mar. 11	Presented to Governor	684
Mar. 12	Approved by Governor	649

LEGISLATIVE BILL 179 **By Committee on Public Works**

Jan. 21	Read first time	166
Jan. 22	Referred to Committee on Public Works	176
Jan. 28	Notice of hearing	221
Feb. 11	Placed on General File	366
Feb. 15	Referred for review	396
Feb. 18	Placed on Select File	443
Feb. 22	Referred for engrossment	478
Feb. 24	Replaced on Select File	494
Feb. 25	Referred for engrossment	505
Mar. 4	Correctly engrossed	575
Mar. 16	Read third time and passed	660
Mar. 22	Correctly enrolled. Signed by President	718, 719
Mar. 23	Presented to Governor	748
Mar. 24	Approved by Governor	782

LEGISLATIVE BILL 180 **By Greenamyre**

Jan. 21	Read first time	166
Jan. 22	Referred to Committee on Education	176
Jan. 26	Notice of hearing	200
Feb. 9	Placed on General File	346
Feb. 10	Read and considered	359
Feb. 11	Referred for review	378
Feb. 17	Placed on Select File	429
Feb. 18	Referred for engrossment	445
Feb. 24	Replaced on Select File	494
Feb. 25	Referred for engrossment	505
Mar. 1	Correctly engrossed	521
Mar. 8	Read third time and passed	611
Mar. 16	Correctly enrolled. Signed by President	657

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Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 181 By Gantz

Jan. 21	Read first time	166
Jan. 22	Referred to Committee on Public Health and Miscellaneous Subjects	176
Mar. 25	Notice of hearing	782
Apr. 9	Indefinitely postponed	944

LEGISLATIVE BILL 182 By Gantz

Jan. 21	Read first time	166
Jan. 22	Referred to Committee on Government	176
Jan. 29	Notice of hearing	238
Feb. 22	Placed on General File	465
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1125
May 3	Placed on Select File	1214
May 4	Referred for engrossment	1235
May 7	Correctly engrossed	1308
May 14	Read third time and passed	1429
May 15	Correctly enrolled. Signed by Speaker	1450
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 183 By Sorrell

Jan. 21	Read first time	167
Jan. 22	Referred to Committee on Government	176
Mar. 8	Notice of hearing	596
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 184 By Gutoski, Tvrdik

Jan. 21	Read first time	167
Jan. 22	Referred to Committee on Public Health and Miscellaneous Subjects	176
Feb. 24	Notice of hearing	489
Mar. 8	Placed on General File	597
Apr. 30	Committee report	1194
May 3	Referred for review	1221
May 6	Placed on Select File	1294
May 7	Referred for engrossment	1303
May 13	Correctly engrossed	1387

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May 20	Read third time and passed	1522
May 21	Correctly enrolled. Signed by President	1551
May 22	Presented to Governor	1574
May 25	Approved by Governor	1633

LEGISLATIVE BILL 185 By Crosby et al

Jan. 21	Read first time	167
Jan. 22	Referred to Committee on Labor and Public Welfare	176
Feb. 2	Notice of hearing	279
Feb. 24	Notice of hearing	490
Mar. 3	Placed on General File	539
Apr. 6	Committee report	886
Apr. 9	Referred for review	953
Apr. 12	Placed on Select File	962
Apr. 13	Referred for engrossment	983
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1067
Apr. 21	Statements	1068
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 22	Approved by Governor	1102

LEGISLATIVE BILL 186 By Peterson

Jan. 21	Read first time	167
Jan. 22	Referred to Committee on Education	176
Jan. 26	Notice of hearing	200
Feb. 2	Placed on General File	281
Feb. 4	Laid over	318
Feb. 5	Referred for review	330
Feb. 11	Placed on Select File	371
Feb. 12	Referred for engrossment	383
Feb. 23	Correctly engrossed	483
Mar. 2	Read third time and passed	534
Mar. 5	Correctly enrolled. Signed by President	591
Mar. 5	Presented to Governor	606
Mar. 8	Approved by Governor	612

LEGISLATIVE BILL 187 By Sorrell

Jan. 22	Read first time	173
Jan. 25	Referred to Committee on Public Works	196
Jan. 28	Notice of hearing	221
Feb. 11	Placed on General File	366
Feb. 15	Considered. Laid over	396

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Feb. 16	Referred for review	410
Feb. 26	Placed on Select File	511
Mar. 1	Referred for engrossment	526
Mar. 8	Correctly engrossed	605
Mar. 18	Laid over	691
Mar. 23	Laid over	750
Mar. 23	Replaced on Select File. Referred for engrossment	759, 760
Mar. 29	Replaced on Select File	822
Mar. 30	Referred for engrossment	832
Apr. 1	Correctly re-engrossed	860
Apr. 8	Laid over	933
Apr. 9	Laid over	945
Apr. 12	Read third time and passed	966
Apr. 13	Correctly enrolled. Signed by President	984
Apr. 13	Presented to Governor	988
Apr. 14	Approved by Governor	1011

LEGISLATIVE BILL 188 By Gantz

Jan. 22	Read first time	173
Jan. 25	Referred to Committee on Appropriations	196
Jan. 28	Notice of hearing	220
Feb. 10	Notice of hearing	353
Feb. 17	Placed on General File	419
Mar. 8	Laid over	612
Mar. 9	Laid over	628
Mar. 24	Placed at foot of General File	778
Apr. 5	Committee report. Laid over	879, 881
Apr. 9	Referred for review	952
Apr. 12	Placed on Select File	961
Apr. 13	Referred for engrossment	983
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1068
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 22	Approved by Governor	1102

LEGISLATIVE BILL 189 By Gantz

Jan. 22	Read first time	173
Jan. 25	Referred to Committee on Judiciary	196
Feb. 1	Notice of hearing	250
Feb. 11	Indefinitely postponed	363

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LEGISLATIVE BILL 190 By Gantz

Jan. 22	Read first time	173
Jan. 25	Referred to Committee on Revenue	196
Jan. 29	Notice of hearing	238
Mar. 5	Indefinitely postponed	582

LEGISLATIVE BILL 191 By Hubka, Crosby

Jan. 22	Read first time	173
Jan. 25	Referred to Committtee on Public Health and Miscellaneous Subjects	196
Feb. 12	Notice of hearing	380
Feb. 25	Placed on General File	504
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1126
Apr. 28	Placed on Select File	1165
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1346
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 192 By Hubka

Jan. 22	Read first time	174
Jan. 25	Referred to Committee on Public Works	196
Feb. 4	Notice of hearing	313
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 193 By Asimus

Jan. 22	Read first time	174
Jan. 25	Referred to Committee on Public Works	196
Jan. 28	Notice of hearing	221
Feb. 18	Indefinitely postponed	441

LEGISLATIVE BILL 194 By Conklin, Crosby

Jan. 22	Read first time	174
Jan. 25	Referred to Committee on Public Works	196
Feb. 12	Notice of hearing	381
Feb. 22	Placed on General File	464
Apr. 20	Commitee report	1063
Apr. 26	Referred for review	1124
Apr. 30	Placed on Select File	1192

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May 3	Referred for engrossment	1211
May 6	Correctly engrossed	1296
May 13	Read third time and passed	1393
May 14	Correctly enrolled	1426
May 15	Signed by Speaker	1447
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 195 By Peterson

Jan. 22	Read first time	174
Jan. 25	Referred to Committee on Public Health and Miscellaneous Subjects	196
Feb. 24	Notice of hearing	489
Mar. 16	Placed on General File	652
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1173
May 6	Placed on Select File	1291
May 10	Referred for engrossment	1327
May 11	Replaced on Select File. Referred for engrossment	1354, 1363
May 15	Correctly engrossed	1450
May 21	Read third time and passed	1556
May 24	Motion. Replaced on Select File	1589
May 24	Referred for engrossment	1589
May 25	Correctly engrossed	1616
May 27	Motion	1667
May 27	Read third time and passed	1672
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1712

LEGISLATIVE BILL 196 By Committee on Banking, Commerce and Insurance

Jan. 22	Read first time	174
Jan. 25	Referred to Committee on Banking, Commerce and Insurance	196
Jan. 29	Notice of hearing	238
Feb. 10	Placed on General File	354
Feb. 11	Referred for review	378
Feb. 17	Placed on Select File	430
Feb. 18	Referred for engrossment	445
Feb. 26	Correctly engrossed	515
Mar. 8	Read third time and passed	610
Mar. 10	Correctly enrolled. Signed by President	644

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Mar. 11	Presented to Governor	684
Mar. 12	Approved by Governor	649

LEGISLATIVE BILL 197 By Peterson

Jan. 22	Read first time	175
Jan. 25	Referred to Committee on Labor and Public Welfare	196
Feb. 2	Notice of hearing	279
Mar. 3	Placed on General File	539
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1127
Apr. 29	Placed on Select File	1179
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1347
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 198 By Peterson

Jan. 22	Read first time	175
Jan. 25	Referred to Committee on Labor and Public Welfare	196
Feb. 2	Notice of hearing	279
Mar. 16	Indefinitely postponed	651
Mar. 18	Placed on General File	686
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 199 By Rakow, Thompson

Jan. 22	Read first time	175
Jan. 25	Referred to Committee on Revenue	196
Jan. 29	Notice of hearing	238
Mar. 10	Placed on General File	635
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 200 By Lee, Hubka

Jan. 22	Read first time	175
Jan. 25	Referred to Committtee on Agriculture	196
Jan. 27	Notice of hearing	210
Feb. 11	Indefinitely postponed	362

LEGISLATIVE BILL 201 By Craven et al

		Page
Jan. 25	Read first time	193
Jan. 26	Referred to Committee on Appropriations	206
Jan. 28	Notice of hearing	220
Feb. 17	Placed on General File	419
Mar. 5	Referred for review	594
Mar. 17	Placed on Select File	668
Mar. 18	Referred for engrossment	694
Mar. 22	Replaced on Select File	718
Mar. 23	Referred for engrossment	760
Mar. 25	Correctly engrossed	799
Apr. 1	Read third time and passed	862
Apr. 2	Correctly enrolled. Signed by President	871
Apr. 2	Presented to Governor	883
Apr. 5	Approved by Governor	890

LEGISLATIVE BILL 202 By Sorrell

Jan. 25	Read first time	193
Jan. 26	Referred to Committee on Public Health and Miscellaneous Subjects	206
Jan. 26	Notice of hearing	201
Apr. 13	Motion	982
Apr. 15	Laid over	1014
Apr. 28	Motion	1147
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 203 By Crosby

Jan. 25	Read first time	193
Jan. 26	Referred to Committee on Government	206
Feb. 1	Notice of hearing	250
Mar. 5	Placed on General File	585
Apr. 6	Committee report	886
Apr. 9	Indefinitely postponed	953

LEGISLATIVE BILL 204 By Cullingham et al

Jan. 25	Read first time	193
Jan. 26	Referred to Committee on Public Works	206
Jan. 26	Motion, introducers	209
Jan. 29	Notice of hearing	239
Feb. 18	Placed on General File	441
Mar. 26	Read and considered	812, 813, 814
Mar. 30	Considered	841
Mar. 31	Considered	850

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Apr. 1	Notice of special order	867
Apr. 6	Considered	888, 890
Apr. 7	Considered	924, 929
Apr. 8	Notice of special order	934
Apr. 12	Considered	972
Apr. 14	Considered	1005
Apr. 15	Considered	1016
Apr. 20	Motion	1064
Apr. 22	Request. Motion	1089, 1092
Apr. 26	Notice of special order	1119
May 4	Referred for review	1239
May 11	Placed on Select File	1357
May 12	Referred for engrossment	1377
May 18	Correctly engrossed	1491
May 24	Motion. Read third time and passed	1602
May 24	Statements	1605
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 205 By Hubka

Jan. 25	Read first time	194
Jan. 26	Referred to Committee on Public Health and Miscellaneous Subjects	206
Feb. 24	Notice of hearing	490
Mar. 19	Placed on General File	698
Apr. 30	Committee report	1194
May 10	Referred for review	1339
May 13	Placed on Select File	1422
May 14	Referred for engrossment	1432
May 14	Replaced on Select File. Referred for engrossment	1439
May 18	Correctly engrossed	1491
May 24	Read third time and passed	1600
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1673

LEGISLATIVE BILL 206 By Raecke

Jan. 25	Read first time	194
Jan. 26	Referred to Committee on Judiciary	206
Feb. 2	Notice of hearing	278
Feb. 11	Notice of hearing	361
Feb. 18	Notice of hearing	437
Mar. 2	Placed on General File	529

		Page
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1126
Apr. 30	Placed on Select File	1190
May 3	Referred for engrossment	1211
May 7	Correctly engrossed	1308
May 14	Read third time and passed	1427
May 25	Correctly enrolled. Signed by Speaker	1638
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 207 **By Craven**

Jan. 25	Read first time	194
Jan. 26	Referred to Committee on Labor and Public Welfare	206
Feb. 2	Notice of hearing	279
Mar. 24	Placed on General File	764
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 208 **By Gantz**

Jan. 25	Read first time	195
Jan. 26	Referred to Committee on Labor and Public Welfare	207
Feb. 2	Notice of hearing	279
Mar. 3	Notice of hearing	538
Apr. 1	Indefinitely postponed	860

LEGISLATIVE BILL 209 **By Gantz**

Jan. 25	Read first time	195
Jan. 26	Referred to Committee on Judiciary	207
Feb. 2	Notice of hearing	278
Feb. 11	Placed on General File	363
Feb. 12	Referred for review	385
Mar. 3	Placed on Select File	552
Mar. 4	Referred for engrossment	579
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	756
Mar. 26	Correctly enrolled. Signed by President	809
Mar. 27	Presented to Governor	822
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 210 **By Tvrdik et al**

Jan. 25	Read first time	195
Jan. 26	Referred to Committee on Government	207
Feb. 19	Notice of hearing	449
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 211 By Norman et al

		Page
Jan. 25	Read first time	195
Jan. 26	Referred to Committee on Education	207
Feb. 2	Notice of hearing	279
Feb. 16	Placed on General File	401
Feb. 24	Referred for review	498
Mar. 18	Placed on Select File	684
Mar. 19	Referred for engrossment	710
Mar. 24	Correctly engrossed	775
Mar. 31	Read third time and passed	847
Mar. 31	Statement	848
Apr. 2	Correctly enrolled. Signed by President	871
Apr. 2	Presented to Governor	883
Apr. 7	Approved by Governor	922

LEGISLATIVE BILL 212 By Heiliger

Jan. 26	Read first time	202
Jan. 27	Referred to Committee on Banking, Commerce and Insurance	217
Feb. 10	Notice of hearing	353
Mar. 22	Placed on General File	716
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 213 By Gantz

Jan. 26	Read first time	202
Jan. 27	Referred to Committee on Education	217
Feb. 9	Notice of hearing	338
Feb. 16	Placed on General File	401
Feb. 24	Referred for review	497
Mar. 17	Placed on Select File	666
Mar. 18	Referred for engrossment	693
Mar. 24	Correctly engrossed	775
Mar. 31	Read third time and passed	848
Apr. 2	Correctly enrolled. Signed by President	871
Apr. 2	Presented to Governor	883
Apr. 5	Approved by Governor	890

LEGISLATIVE BILL 214 By Crosby, Carmody

Jan. 26	Read first time	202
Jan. 27	Referred to Committee on Public Works	217
Feb. 24	Notice of hearing	490
Mar. 9	Placed on General File	616
Apr. 30	Committee report	1194

		Page
May 3	Referred for review	1222
May 13	Placed on Select File	1414
May 14	Referred for engrossment	1431
May 20	Replaced on Select File	1541
May 21	Referred for engrossment	1563
May 21	Correctly engrossed	1567
May 25	Motion	1628
May 26	Read third time and passed	1645
May 27	Correctly enrolled. Signed by President	1681
May 28	Presented to Governor	1711
May 28	Approved by Governor	1704

LEGISLATIVE BILL 215 By Thompson

Jan. 26	Read first time	203
Jan. 27	Referred to Committee on Banking, Commerce and Insurance	217
Feb. 19	Notice of hearing	449
Mar. 16	Placed on General File	651
Mar. 22	Motion. Referred for review	724
Mar. 24	Placed on Select File	773
Mar. 25	Motion	803
Mar. 26	Referred for engrossment	811
Mar. 26	Correctly engrossed	813
Mar. 30	Read third time and passed	833
Mar. 30	Correctly enrolled. Signed by President	842, 843
Mar. 30	Presented to Governor	845
Mar. 30	Approved by Governor	846

LEGISLATIVE BILL 216 By Thompson

Jan. 26	Read first time	203
Jan. 27	Referred to Committee on Banking, Commerce and Insurance	217
Feb. 19	Notice of hearing	449
Mar. 19	Indefinitely postponed	697

LEGISLATIVE BILL 217 By Thompson

Jan. 26	Read first time	203
Jan. 27	Referred to Committee on Banking, Commerce and Insurance	217
Feb. 19	Notice of hearing	449
Mar. 19	Indefinitely postponed	697

LEGISLATIVE BILL 218 By Committee on Education

Jan. 26	Read first time	203

		Page
Jan. 27	Referred to Committee on Education	217
Feb. 2	Notice of hearing	279
Feb. 17	Indefinitely postponed	417

LEGISLATIVE BILL 219 By Tvrdik, Gutoski

Jan. 26	Read first time	203
Jan. 27	Referred to Committee on Labor and Public Welfare	217
Feb. 2	Notice of hearing	279
Feb. 15	Notice of hearing	389
Mar. 25	Placed on General File	794
Apr. 6	Committee report	886
Apr. 20	Referred for review	1065
Apr. 23	Placed on Select File	1107
Apr. 26	Referred for engrossment	1119
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1276
May 7	Correctly enrolled. Signed by President	1316, 1319
May 10	Presented to Governor	1333
May 10	Approved by Governor	1330

LEGISLATIVE BILL 220 By Doyle, Garber

Jan. 26	Read first time	204
Jan. 27	Referred to Committee on Revenue	217
Feb. 3	Notice of hearing	301
Feb. 24	Indefinitely postponed	491

LEGISLATIVE BILL 221 By Committee on Appropriations

Jan. 26	Read first time	204
Jan. 27	Referred to Committee on Appropriations	217
Feb. 3	Notice of hearing	300
Feb. 16	Placed on General File	403
Feb. 25	Referred for review	507
Mar. 24	Placed on Select File	773
Mar. 25	Referred for engrossment	803
Mar. 29	Replaced on Select File	821
Mar. 30	Considered. Laid over	832
Mar. 31	Laid over	849
Apr. 1	Referred for engrossment	864
Apr. 2	Replaced on Select File	871
Apr. 5	Referred for engrossment	879
Apr. 9	Correctly engrossed	941
Apr. 16	Read third time and passed	1025
Apr. 20	Correctly enrolled. Signed by President	1059

Apr. 21	Presented to Governor	1077
Apr. 23	Approved by Governor	1105

LEGISLATIVE BILL 222 By Asimus

Jan. 26	Read first time	204
Jan. 27	Referred to Committee on Public Works	217
Feb. 4	Notice of hearing	313
Feb. 15	Indefinitely postponed	393

LEGISLATIVE BILL 223 By Rakow

Jan. 26	Read first time	204
Jan. 27	Referred to Committee on Judiciary	217
Feb. 2	Notice of hearing	278
Feb. 23	Placed on General File	481
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1125
Apr. 28	Placed on Select File	1165
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1347
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 224 By Thomas et al

Jan. 26	Read first time	205
Jan. 27	Referred to Committee on Education	217
Feb. 2	Notice of hearing	279
Feb. 17	Placed on General File	417
Mar. 2	Referred for review	537
Mar. 29	Placed on Select File	816
Mar. 30	Referred for engrossment	832
Apr. 5	Replaced on Select File	877
Apr. 6	Referred for engrossment	887
Apr. 8	Correctly engrossed	931
Apr. 15	Read third time and passed	1008
Apr. 16	Correctly enrolled. Signed by President	1032
Apr. 17	Presented to Governor	1033
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 225 By Jeffords, Weborg

Jan. 26	Read first time	205
Jan. 27	Referred to Committee on Education	217
Feb. 2	Notice of hearing	279

Feb. 23	Placed on General File	481
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1125
Apr. 29	Placed on Select File	1180
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Laid over	1348
May 12	Read third time and passed	1375
May 13	Correctly enrolled. Signed by President	1423
May 14	Presented to Governor	1442
May 17	Message from Governor	1459
May 17	Request	1476
May 18	Returned to Legislature	1489
May 20	Replaced on Select File. Referred for engrossment	1531, 1532
May 24	Correctly engrossed	1588
May 26	Motion. Read third time and passed	1646
May 26	Correctly enrolled. Signed by President	1655, 1656
May 27	Presented to Governor	1681
May 27	Approved by Governor	1703

LEGISLATIVE BILL 226 By Klaver

Jan. 26	Read first time	205
Jan. 27	Referred to Committee on Revenue	217
Feb. 17	Notice of hearing	414
Mar. 3	Notice of hearing	539
Mar. 24	Indefinitely postponed	765

LEGISLATIVE BILL 227 By Mueller, Foster

Jan. 26	Read first time	205
Jan. 27	Referred to Committee on Public Health and Miscellaneous Subjects	217
Feb. 24	Notice of hearing	490
Mar. 22	Indefinitely postponed	714

LEGISLATIVE BILL 228 By Osborne, Neubauer

Jan. 26	Read first time	205
Jan. 27	Referred to Committee on Judiciary	217
Feb. 4	Notice of hearing	313
Feb. 18	Notice of hearing	438
Mar. 8	Indefinitely postponed	603

LEGISLATIVE BILL 229 By Heiliger

Jan. 26	Read first time	206

Jan. 27	Referred to Committee on Public Health and Miscellaneous Subjects	217
Feb. 24	Notice of hearing	490
Apr. 15	Placed on General File	1015
Apr. 30	Committee report	1194
May 10	Read and considered	1340
May 18	Referred for review	1493
May 20	Placed on Select File	1539
May 21	Referred for engrossment	1560
May 25	Correctly engrossed	1616
May 27	Motion	1667
May 27	Read third time and passed	1670
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 230 By Raecke

Jan. 26	Read first time	206
Jan. 27	Referred to Committee on Labor and Public Welfare	217
Feb. 2	Notice of hearing	279
Feb. 15	Notice of hearing 311	389
Mar. 16	Indefinitely postponed	651
May 19	Placed on General File	1513
May 19	Motions	1516, 1519
May 20	Referred for review	1536
May 24	Placed on Select File. Referred for engrossment	1587, 1591
May 25	Correctly engrossed	1638
May 27	Motion	1667
May 27	Read third time and passed	1677
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 231 By Craven

Jan. 27	Read first time	213
Jan. 28	Referred to Committee on Public Health and Miscellaneous Subjects	233
Mar. 10	Notice of hearing	631
Mar. 25	Placed on General File	793
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1186
May 3	Placed on Select File	1214
May 6	Referred for engrossment	1280
May 12	Correctly engrossed	1368

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May 19	Laid over	1500
May 20	Read third time and passed	1521
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1598

LEGISLATIVE BILL 232 By Reavis

Jan. 27	Read first time	213
Jan. 28	Referred to Committee on Revenue	233
Feb. 5	Notice of hearing	320
Mar. 3	Placed on General File	540
Mar. 4	Motion	580
Mar. 9	Referred for review. Motion	628, 629
Mar. 10	Motion	638
Mar. 10	Recalled to General File. Referred for review	644
Mar. 10	Placed on Select File. Referred for engrossment	648
Mar. 18	Correctly engrossed	684
Mar. 25	Read third time and passed	801
Mar. 26	Correctly enrolled. Signed by President	813
Mar. 26	Presented to Governor	814
Mar. 26	Approved by Governor	816

LEGISLATIVE BILL 233 By Greenamyre

Jan. 27	Read first time	214
Jan. 28	Referred to Committee on Banking, Commerce and Insurance	233
Feb. 10	Notice of hearing	353
Mar. 3	Indefinitely postponed	546

LEGISLATIVE BILL 234 By Hubka

Jan. 27	Read first time	214
Jan. 28	Referred to Committee on Labor and Public Welfare	233
Feb. 10	Notice of hearing	354
Mar. 16	Placed on General File	650
Apr. 30	Committee report	1194
May 19	Tabled	1517

LEGISLATIVE BILL 235 By Brodahl

Jan. 27	Read first time	214
Jan. 28	Referred to Committee on Revenue	233
Feb. 5	Notice of hearing	320
Feb. 24	Indefinitely postponed	491

LEGISLATIVE BILL 236 **By Brodahl, Neubauer**

		Page
Jan. 27	Read first time	214
Jan. 28	Referred to Committee on Education	233
Jan. 29	Request, introducer	248
Feb. 9	Notice of hearing	338
Feb. 23	Placed on General File	481
Apr. 20	Committee report	1063
May 7	Referred for review	1313
May 13	Placed on Select File	1388
May 14	Referred for engrossment	1430
May 18	Correctly engrossed	1491
May 24	Read third time and passed	1599
May 24	Statement	1613
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 237 **By Ogden**

Jan. 27	Read first time	214
Jan. 28	Referred to Committee on Judiciary	233
Feb. 4	Notice of hearing	313
Feb. 18	Notice of hearing	438
Mar. 1	Indefinitely postponed	520

LEGISLATIVE BILL 238 **By Heiliger, Craven**

Jan. 27	Read first time	215
Jan. 28	Referred to Committee on Government	233
Mar. 8	Notice of hearing	596
Mar. 22	Placed on General File	718
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 5	Placed on Select File	1264
May 6	Referred for engrossment	1284
May 13	Correctly engrossed	1414
May 20	Read third time and passed	1530
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1598

LEGISLATIVE BILL 239 **By Gutoski, Ogden**

Jan. 27	Read first time	215
Jan. 28	Referred to Committee on Banking, Commerce and Insurance	233

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Feb. 10	Notice of hearing	353
Feb. 26	Placed on General File	510
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1126
Apr. 28	Placed on Select File	1166
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1348
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1441

LEGISLATIVE BILL 240 By Foster

Jan. 27	Read first time	215
Jan. 28	Referred to Committee on Judiciary	233
Feb. 8	Notice of hearing	333
Feb. 18	Notice of hearing	438
Mar. 4	Placed on General File	572
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 241 By Asimus

Jan. 27	Read first time	215
Jan. 28	Referred to Committee on Revenue	233
Feb. 5	Notice of hearing	320
Mar. 10	Indefinitely postponed	636

LEGISLATIVE BILL 242 By Conklin

Jan. 27	Read first time	216
Jan. 28	Referred to Committee on Government	233
Feb. 12	Notice of hearing	381
Feb. 22	Placed on General File	465
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1125
Apr. 30	Placed on Select File	1190
May 3	Referred for engrossment	1211
May 6	Correctly engrossed	1296
May 13	Read third time and passed	1394
May 14	Correctly enrolled	1426
May 15	Signed by Speaker	1447
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 243 By Osborne

Jan. 27	Read first time	216

		Page
Jan. 28	Referred to Committee on Public Health and Miscellaneous Subjects	233
Feb. 24	Notice of hearing	490
Mar. 2	Notice of hearing	529
Mar. 25	Indefinitely postponed	793

LEGISLATIVE BILL 244 By Gutoski et al

Jan. 27	Read first time	216
Jan. 28	Referred to Committee on Government	234
Feb. 18	Notice of hearing	438
Mar. 5	Placed on General File	583
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1169
May 5	Placed on Select File	1265
May 6	Referred for engrossment	1284
May 13	Correctly engrossed	1387
May 13	Replaced on Select File. Referred for Engrossment	1396, 1413
May 14	Correctly re-engrossed	1446
May 21	Read third time and passed	1554
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 24	Approved by Governor	1615

LEGISLATIVE BILL 245 By Gutoski

Jan. 27	Read first time	216
Jan. 28	Referred to Committee on Public Health and Miscellaneous Subjects	234
Mar. 31	Notice of hearing	844
Apr. 9	Indefinitely postponed	944

LEGISLATIVE BILL 246 By Hubka et al

Jan. 27	Read first time	216
Jan. 28	Referred to Committee on Public Health and Miscellaneous Subjects	234
Feb. 1	Notice of hearing	251
Feb. 4	Notice of hearing	313
Feb. 25	Placed on General File	504
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1126
Apr. 28	Placed on Select File	1166
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248

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May 11	Read third time and passed	1349
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 247 By Klaver

Jan. 27	Read first time	217
Jan. 28	Referred to Committee on Judiciary	234
Feb. 8	Notice of hearing	333
Mar. 22	Placed on General File	717
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 5	Placed on Select File	1254
May 6	Referred for engrossment	1283
May 11	Correctly engrossed	1356
May 18	Read third time and passed	1498
May 19	Correctly enrolled. Signed by President	1513
May 20	Presented to Governor	1534
May 24	Vetoed by Governor	1616

LEGISLATIVE BILL 248 By Craven et al

Jan. 28	Read first time	228
Jan. 29	Referred to Committee on Public Works	247
Feb. 8	Notice of hearing	333
Feb. 22	Placed on General File	464
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 7	Notice of special order	1312
May 10	Considered. Laid over	1329, 1333
May 19	Referred for review	1511
May 21	Placed on Select File. Referred for review	1564, 1566
May 24	Placed on Select File	1574
May 24	Referred for engrossment	1590
May 26	Replaced on Select File. Referred for engrossment	1644
May 26	Correctly engrossed	1656
May 28	Motion. Read third time and passed	1692, 1700
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
June 1	Approved by Governor	1715

LEGISLATIVE BILL 249 By Burnham

Jan. 28	Read first time	228
Jan. 29	Referred to Committee on Education	247

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Feb. 9	Notice of hearing	338
Mar. 3	Placed on General File	540
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1127
Apr. 27	Placed on Select File	1138
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1350
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 250 By Asimus

Jan. 28	Read first time	229
Jan. 29	Referred to Committee on Public Works	247
Feb. 24	Notice of hearing	490
Mar. 8	Indefinitely postponed	606

LEGISLATIVE BILL 251 By Weborg

Jan. 28	Read first time	229
Jan. 29	Referred to Committee on Agriculture	247
Feb. 3	Notice of hearing	299
Mar. 18	Placed on General File	680
Apr. 6	Committee report	886
Apr. 16	Referred for review	1029
Apr. 20	Placed on Select File	1056
Apr. 21	Referred for engrossment	1074
Apr. 22	Replaced on Select File	1093
Apr. 23	Referred for engrossment	1100
Apr. 26	Correctly engrossed	1123
May 3	Read third time and passed	1208
May 4	Correctly enrolled. Signed by President	1248
May 5	Presented to Governor	1263
May 6	Approved by Governor	1299

LEGISLATIVE BILL 252 By Hanna, Jeffords

Jan. 28	Read first time	229
Jan. 29	Referred to Committee on Agriculture	247
Feb. 3	Notice of hearing	299
Feb. 11	Placed on General File	362
Feb. 12	Referred for review	385
Feb. 25	Placed on Select File	501
Feb. 26	Referred for engrossment	515

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Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	639
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 253 By Bowman et al

Jan. 28	Read first time	229
Jan. 29	Referred to Committee on Public Works	247
Feb. 8	Notice of hearing	333
Feb. 12	Notice of hearing	381
Mar. 25	Placed on General File	783
Apr. 20	Committee report	1063
May 15	Notice of special order	1450
May 17	Read and considered	1462
May 17	Indefinitely postponed	1462

LEGISLATIVE BILL 254 By Garber

Jan. 28	Read first time	229
Jan. 29	Referred to Committee on Public Works	247
Feb. 4	Notice of hearing	313
Feb. 15	Indefinitely postponed	393

LEGISLATIVE BILL 255 By Peterson

Jan. 28	Read first time	230
Jan. 29	Referred to Committee on Banking, Commerce and Insurance	247
Feb. 10	Notice of hearing	353
Mar. 10	Placed on General File	632
Apr. 20	Committee report	1063
May 14	Read and considered	1441
May 15	Considered. Laid over	1447
May 18	Laid over	1493
May 19	Referred for review	1514
May 24	Placed on Select File	1581
May 24	Referred for engrossment	1591
May 26	Correctly engrossed	1655
May 28	Motion. Read third time and passed	1692, 1699
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
May 28	Approved by Governor	1712

LEGISLATIVE BILL 256 By Greenamyre

Jan. 28	Read first time	230

		Page
Jan. 29	Referred to Committee on Appropriations	247
Feb. 3	Notice of hearing	300
Feb. 24	Placed on General File	493
Apr. 6	Committee report	886
Apr. 9	Referred for review	952
Apr. 12	Placed on Select File	961
Apr. 13	Referred for engrossment	983
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1069
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 23	Approved by Governor	1105

LEGISLATIVE BILL 257 **By Gutoski, Garber**

Jan. 28	Read first time	230
Jan. 29	Referred to Committee on Judiciary	247
Feb. 11	Notice of hearing	361
Mar. 9	Placed on General File	615
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 258 **By Sorrell**

Jan. 28	Read first time	230
Jan. 29	Referred to Committee on Judiciary	247
Feb. 8	Notice of hearing	333
Feb. 23	Placed on General File	480
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 259 **By Committee on Public Works**

Jan. 28	Read first time	231
Jan. 29	Referred to Committee on Public Works	247
Feb. 4	Notice of hearing	313
Feb. 15	Placed on General File	393
Feb. 16	Referred for review	411
Feb. 19	Placed on Select File	453
Feb. 23	Referred for engrossment	485
Mar. 3	Correctly engrossed	555
Mar. 10	Read third time and passed	647
Mar. 16	Correctly enrolled. Signed by President	657
Mar. 17	Presented to Governor	684
Mar. 18	Approved by Governor	711

LEGISLATIVE BILL 260 **By Thompson et al**

Jan. 28	Read first time	231

		Page
Jan. 29	Referred to Committee on Public Works	248
Feb. 4	Notice of hearing	313
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 261 By Cullingham et al

Jan. 28	Read first time	231
Jan. 29	Referred to Committee on Government	248
Feb. 19	Notice of hearing	449
Mar. 5	Placed on General File	588
May 11	Motion	1365
May 14	Referred for review	1440
May 17	Placed on Select File	1464
May 18	Referred for engrossment	1483
May 20	Correctly engrossed	1521
May 25	Read third time and passed	1624
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1703

LEGISLATIVE BILL 262 By Klaver et al

Jan. 28	Read first time	231
Jan. 29	Referred to Committee on Government	248
Feb. 19	Notice of hearing	449
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 263 By Foster, Klaver

Jan. 28	Read first time	232
Jan. 29	Referred to Committee on Labor and Public Welfare	248
Feb. 24	Notice of hearing	490
Mar. 3	Notice of hearing	538
Mar. 25	Placed on General File	794
Apr. 2	Committee report	872
Apr. 5	Referred for review	879
Apr. 9	Placed on Select File	942
Apr. 12	Referred for engrossment	967
Apr. 14	Correctly engrossed	1001
Apr. 21	Read third time and passed	1072
Apr. 22	Correctly enrolled. Signed by President	1089
Apr. 22	Presented to Governor	1104
Apr. 22	Approved by Governor	1102

LEGISLATIVE BILL 264 By Crosby

Jan. 28	Read first time	232
Jan. 29	Referred to Committee on Education	248

		Page
Feb. 9	Notice of hearing	338
Mar. 3	Placed on General File	566
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1127
May 3	Placed on Select File	1215
May 5	Referred for engrossment	1256
May 10	Correctly engrossed	1320
May 17	Laid over	1451
May 18	Read third time and passed	1495
May 19	Correctly enrolled. Signed by President	1513
May 20	Presented to Governor	1534
May 20	Approved by Governor	1542

LEGISLATIVE BILL 265 By Hanna

Jan. 28	Read first time	232
Jan. 29	Referred to Committee on Education	248
Feb. 9	Notice of hearing	338
Feb. 26	Placed on General File	510
Apr. 2	Committee report	872
Apr. 2	Referred for review	873
Apr. 7	Placed on Select File	897
Apr. 8	Referred for engrossment	937
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1046
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 266 By Raecke

Jan. 28	Read first time	232
Jan. 29	Referred to Committee on Education	248
Feb. 16	Notice of hearing	397
Mar. 2	Placed on General File	529
Apr. 2	Committee report	872
Apr. 2	Referred for review	874
Apr. 7	Placed on Select File	898
Apr. 8	Referred for engrossment	937
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1043
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 267 By Dooley

Jan. 28	Read first time	232

		Page
Jan. 29	Referred to Committee on Education	248
Feb. 16	Notice of hearing	397
Mar. 3	Placed on General File	539
Apr. 2	Committee report	872
Apr. 2	Referred for review	874
Apr. 7	Placed on Select File	899
Apr. 8	Referred for engrossment	938
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1042
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 22	Approved by Governor	1102

LEGISLATIVE BILL 268 By Rakow

Jan. 28	Read first time	233
Jan. 29	Referred to Committee on Public Health and Miscellaneous Subjects	248
Feb. 11	Notice of hearing	362
Feb. 25	Indefinitely postponed	504

LEGISLATIVE BILL 269 By Peterson

Jan. 28	Read first time	233
Jan. 29	Referred to Committee on Public Works	248
Feb. 8	Notice of hearing	333
Feb. 18	Placed on General File	441
Apr. 20	Committee report	1063
Apr. 22	Referred for review	1086
Apr. 23	Placed on Select File	1112
Apr. 28	Referred for engrossment	1146
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1350
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 270 By Peterson

Jan. 28	Read first time	233
Jan. 29	Referred to Committee on Education	248
Feb. 16	Notice of hearing	397
Mar. 23	Indefinitely postponed	745

LEGISLATIVE BILL 271 By Hubka

Jan. 29	Read first time	240
Feb. 1	Referred to Committee on Agriculture	271

		Page
Feb. 3	Notice of hearing	299
Feb. 11	Placed on General File	362
Feb. 11	Referred for review	378
Feb. 17	Placed on Select File	430
Feb. 18	Referred for engrossment	445
Feb. 24	Correctly engrossed	495
Mar. 3	Laid over	562
Mar. 4	Read third time and passed	576
Mar. 4	Statements	578
Mar. 8	Correctly enrolled. Signed by President	605, 606
Mar. 9	Presented to Governor	622
Mar. 9	Approved by Governor	627

LEGISLATIVE BILL 272 By Sorrell

Jan. 29	Read first time	240
Feb. 1	Referred to Committee on Banking, Commerce and Insurance	271
Feb. 19	Notice of hearing	449
Mar. 3	Notice of hearing	538
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 273 By Craven, Crossland

Jan. 29	Read first time	241
Feb. 1	Referred to Committee on Revenue	271
Feb. 12	Notice of hearing	380
Mar. 26	Indefinitely postponed	807
Apr. 14	Motion. Placed on General File	991
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 274 By Rakow

Jan. 29	Read first time	241
Feb. 1	Referred to Committee on Public Health and Miscellaneous Subjects	271
Feb. 4	Notice of hearing	313
Mar 22	Placed on General File	714
Apr. 2	Committee report	872
Apr. 2	Considered. Laid over	875
Apr. 5	Referred for review	879
Apr. 9	Placed on Select File	953
Apr. 12	Referred for engrossment	968
Apr. 14	Correctly engrossed	1001
Apr. 21	Laid over	1073
May 21	Indefinitely postponed	1557

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LEGISLATIVE BILL 275 By Rakow, Thompson

Jan. 29	Read first time	241
Feb. 1	Referred to Committee on Judiciary	271
Feb. 11	Notice of hearing	361
Mar. 25	Indefinitely postponed	782

LEGISLATIVE BILL 276 By Rakow

Jan. 29	Read first time	241
Feb. 1	Referred to Committee on Judiciary	271
Feb. 11	Notice of hearing	361
Mar. 8	Indefinitely postponed	603

LEGISLATIVE BILL 277 By Thomas, Mueller

Jan. 29	Read first time	241
Feb. 1	Referred to Committee on Labor and Public Welfare	271
Feb. 24	Notice of hearing	490
Mar. 3	Notice of hearing	538
Mar. 25	Placed on General File	794
Apr. 6	Committee report	886
Apr. 20	Referred for review	1063
Apr. 21	Placed on Select File	1077
Apr. 26	Referred for engrossment	1118
Apr. 30	Correctly engrossed	1189
May 7	Read third time and passed	1300
May 10	Correctly enrolled. Signed by President	1320, 1325
May 11	Presented to Governor	1362
May 12	Approved by Governor	1379

LEGISLATIVE BILL 278 By Neubauer et al

Jan. 29	Read first time	242
Feb. 1	Referred to Committee on Judiciary	271
Feb. 11	Notice of hearing	361
Apr. 6	Indefinitely postponed	882

LEGISLATIVE BILL 279 By Foster

Jan. 29	Read first time	242
Feb. 1	Referred to Committee on Public Health and Miscellaneous Subjects	271
Mar. 25	Notice of hearing	782
Apr. 9	Indefinitely postponed	944

LEGISLATIVE BILL 280 By Sorrell, Craven

		Page
Jan. 29	Read first time	242
Feb. 1	Referred to Committee on Revenue	271
Feb. 12	Notice of hearing	380
Mar. 3	Notice of hearing	539
Mar. 24	Placed on General File	765
Apr. 20	Committee report	1063
May 15	Referred for review	1449
May 17	Placed on Select File	1466
May 18	Referred for engrossment	1483
May 25	Correctly engrossed	1616
May 27	Motion	1667
May 27	Read third time and passed	1669
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1711
May 28	Approved by Governor	1704

LEGISLATIVE BILL 281 By Craven, Reavis

Jan. 29	Read first time	242
Feb. 1	Referred to Committee on Agriculture	271
Feb. 3	Notice of hearing	299
Mar. 5	Placed on General File	582
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 282 By Crosby

Jan. 29	Read first time	243
Feb. 1	Referred to Committee on Judiciary	271
Feb. 16	Notice of hearing	397
Mar. 22	Placed on General File	718
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 5	Placed on Select File	1266
May 6	Referred for engrossment	1284
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1526
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1598

LEGISLATIVE BILL 283 By Craven

Jan. 29	Read first time	243
Feb. 1	Referred to Committee on Public Works	271
Feb. 24	Notice of hearing	490

		Page
Mar. 8	Placed on General File	607
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 7	Laid over	1312
May 10	Placed at foot of Special File	1335
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 284 **By D. S. Anderson et al**

Jan. 29	Read first time	243
Feb. 1	Referred to Committee on Agriculture	271
Feb. 3	Notice of hearing	299
Feb. 19	Placed on General File	449
Apr. 5	Committee report. Laid over	879
Apr. 6	Referred for review	888
Apr. 9	Placed on Select File	956
Apr. 12	Referred for review	968
Apr. 13	Replaced on Select File	984
Apr. 14	Referred for engrossment	991
Apr. 20	Correctly engrossed	1066
Apr. 27	Read third time and passed	1130
Apr. 28	Correctly enrolled	1167
Apr. 29	Signed by Speaker	1168
May 1	Presented to Governor	1198
May 1	Approved by Governor	1222

LEGISLATIVE BILL 285 **By Peterson, Gantz**

Jan. 29	Read first time	243
Feb. 1	Referred to Committee on Judiciary	271
Feb. 16	Notice of hearing	397
Mar. 22	Placed on General File	718
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 5	Placed on Select File	1263
May 6	Referred for engrossment	1283
May 12	Correctly engrossed	1368
May 19	Read third time and passed	1500
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 24	Approved by Governor	1615

LEGISLATIVE BILL 286 **By Greenamyre et al**

Jan. 29	Read first time	244
Feb. 1	Referred to Committee on Public Works	271
Feb. 8	Notice of hearing	333

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Mar. 8 Placed on General File.......................... 607
Apr. 20 Committee report 1063
Apr. 22 Request. Motion 1089, 1092
Apr. 22 Read and considered............................1092
May 4 Notice of special order..........................1248
May 5 Considered..........................1259, 1260, 1261
May 5 Considered. Laid over............................1273
May 6 Considered. Tabled 1285, 1291
May 7 Considered. Referred for review..............1303, 1308
May 12 Motion 1374
May 13 Placed on Select File...........................1417
May 14 Considered. Referred for engrossment........1431, 1437
May 20 Correctly engrossed 1521
May 25 Read third time and passed......................1620
May 25 Statement 1621
May 26 Correctly enrolled. Signed by President.........1654
May 27 Presented to Governor...........................1681
May 27 Approved by Governor............................1703

LEGISLATIVE BILL 287 By Mueller

Jan. 29 Read first time................................ 244
Feb. 1 Referred to Committee on Banking,
Commerce and Insurance........................ 271
Feb. 10 Notice of hearing.............................. 353
Mar. 9 Placed on General File.......................... 620
Apr. 30 Committee report 1194
May 17 Notice of special order.........................1459
May 18 Considered. Referred for review.............1488, 1492
May 20 Placed on Select File...........................1540
May 21 Referred for engrossment........................1560
May 25 Correctly engrossed 1638
May 27 Motion 1667
May 27 Read third time and passed......................1676
May 28 Correctly enrolled. Signed by President......1687, 1703
May 28 Presented to Governor...........................1703
May 28 Approved by Governor............................1712

LEGISLATIVE BILL 288 By Mueller

Jan. 29 Read first time................................ 244
Feb. 1 Referred to Committee on Public Health
and Miscellaneous Subjects.................... 271
Mar. 4 Notice of hearing.............................. 571
Mar. 5 Rereferred to Committee on Agriculture........... 592
Mar. 18 Placed on General File......................... 681
May 11 Indefinitely postponed 1365

LEGISLATIVE BILL 289 By Committee on Agriculture

		Page
Jan. 29	Read first time	244
Feb. 1	Referred to Committee on Agriculture	271
Feb. 3	Notice of hearing	300
Feb. 26	Indefinitely postponed	510

LEGISLATIVE BILL 290 By Foster et al

Jan. 29	Read first time	244
Feb. 1	Referred to Committee on Labor and Public Welfare	271
Feb. 10	Notice of hearing	354
Mar. 3	Notice of hearing	538
Mar. 25	Placed on General File	793
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 291 By Brodahl

Jan. 29	Read first time	245
Feb. 1	Referred to Committee on Government	271
Feb. 11	Notice of hearing	362
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 292 By Foster

Jan. 29	Read first time	245
Feb. 1	Referred to Committee on Labor and Public Welfare	271
Feb. 10	Notice of hearing	354
Mar. 3	Notice of hearing	538
Apr. 2	Indefinitely postponed	870

LEGISLATIVE BILL 293 By Committee on Banking, Commerce and Insurance

Jan. 29	Read first time	245
Feb. 1	Referred to Committee on Banking, Commerce and Insurance	271
Feb. 10	Notice of hearing	353
Mar. 3	Placed on General File	546
Apr. 30	Committee report. Motion	1194
May 3	Referred for review	1221
May 7	Placed on Select File	1316
May 10	Referred for engrossment	1328
May 14	Correctly engrossed	1426
May 21	Read third time and passed	1547
May 24	Correctly enrolled. Signed by President	1588, 1589

		Page
May 24	Presented to Governor	1697
May 25	Approved by Governor	1633

LEGISLATIVE BILL 294 By Tvrdik et al

Jan. 29	Read first time	245
Feb. 1	Referred to Committee on Revenue	271
Feb. 10	Notice of hearing	353
Mar. 5	Placed on General File	582
Apr. 2	Committee report	872
Apr. 2	Referred for review	874
Apr. 19	Placed on Select File	1033
Apr. 20	Referred for engrossment	1061
Apr. 22	Replaced on Select File	1093
Apr. 23	Referred for engrossment	1100
Apr. 26	Correctly engrossed	1113
May 3	Read third time and passed	1204
May 3	Statement	1209
May 4	Correctly enrolled. Signed by President	1248
May 5	Presented to Governor	1263
May 7	Approved by Governor	1312

LEGISLATIVE BILL 295 By Peterson, Crosby

Jan. 29	Read first time	245
Feb. 1	Referred to Committee on Public Health and Miscellaneous Subjects	272
Feb. 18	Notice of hearing	438
Mar. 24	Placed on General File	766
Apr. 30	Committee report	1194
May 19	Indefinitely postponed	1519
May 20	Placed on General File	1534
May 20	Referred for review	1538
May 24	Placed on Select File. Motion. Referred for engrossment	1609, 1612
May 25	Replaced on Select File. Laid over	1618, 1619
May 25	Request. Referred for engrossment	1629, 1630
May 26	Replaced on Select File. Referred for engrossment	1655
May 26	Correctly engrossed	1656
May 28	Motion. Read third time and passed	1692, 1701
May 28	Correctly enrolled. Signed by President	1712
May 28	Presented to Governor	1714
May 28	Approved by Governor	1715

LEGISLATIVE BILL 296 By Craven

Jan. 29	Read first time	246

		Page
Feb. 1	Referred to Committee on Banking, Commerce and Insurance	272
Feb. 3	Notice of hearing	300
Mar. 8	Placed on General File	597
Apr. 20	Committee report	1063
May 12	Considered. Laid over	1386
May 13	Referred for review	1396
May 14	Motion	1436
May 17	Placed on Select File	1470
May 18	Referred for engrossment	1484
May 25	Correctly engrossed	1622
May 27	Motion	1667
May 27	Read third time and passed	1673
May 27	Statements	1680
May 28	Correctly enrolled. Signed by President	1687, 1703
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 297 By Tvrdik et al

Jan. 29	Read first time	246
Feb. 1	Referred to Committee on Revenue	272
Feb. 10	Notice of hearing	353
Mar. 3	Placed on General File	541
Apr. 20	Committee report	1063
Apr. 26	Referred for review	1127
Apr. 30	Placed on Select File	1189
May 3	Referred for engrossment	1211
May 5	Replaced on Select File	1270
May 7	Referred for engrossment	1302
May 10	Correctly engrossed	1333
May 17	Read third time and passed	1457
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 20	Approved by Governor	1542

LEGISLATIVE BILL 298 By Gantz

Jan. 29	Read first time	246
Feb. 1	Referred to Committee on Judiciary	272
Feb. 18	Notice of hearing	438
Mar. 8	Indefinitely postponed	604

LEGISLATIVE BILL 299 By Gantz

Jan. 29	Read first time	246
Feb. 1	Referred to Committee on Judiciary	272

		Page
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	529
Mar. 25	Placed on General File	789
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1186
May 5	Placed on Select File	1266
May 6	Referred for engrossment	1285
May 12	Replaced on Select File	1373
May 13	Referred for engrossment	1396
May 17	Correctly engrossed	1451
May 24	Read third time and passed	1592
May 24	Correctly enrolled. Signed by President	1609, 1613
May 24	Statement	1613
May 25	Presented to Governor	1615
May 25	Approved by Governor	1621

LEGISLATIVE BILL 300 By Lee, Greenamyre

Jan. 29	Read first time	247
Feb. 1	Referred to Committee on Public Works	272
Feb. 8	Notice of hearing	333
Feb. 18	Placed on General File	440
Mar. 26	Referred for review	812
Mar. 31	Placed on Select File	845
Apr. 1	Referred for engrossment	865
Apr. 23	Replaced on Select File. Referred for engrossment	1098, 1100
Apr. 26	Replaced on Select File	1123
Apr. 30	Referred for engrossment	1182
May 7	Correctly engrossed	1305
May 14	Read third time and passed	1426
May 15	Correctly enrolled. Signed by Speaker	1450
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 301 By Committee on Agriculture

Jan. 29	Read first time	247
Feb. 1	Referred to Committee on Agriculture	272
Feb. 3	Notice of hearing	300
Feb. 17	Placed on General File	419
Mar. 8	Referred for review	613
Mar. 17	Placed on Select File	665
Mar. 18	Referred for engrossment	693
Mar. 22	Correctly engrossed	718
Mar. 29	Read third time and passed	822

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Mar. 31	Correctly enrolled. Signed by President	845, 846
Apr. 2	Presented to Governor	883
Apr. 5	Approved by Governor	890

LEGISLATIVE BILL 302 By Crosby

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Government	293
Feb. 11	Notice of hearing	362
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 303 By Heiliger

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Judiciary	293
Feb. 18	Notice of hearing	437
Mar. 1	Placed on General File	520
Apr. 2	Committee report	872
Apr. 2	Referred for review	874
Apr. 9	Placed on Select File	957
Apr. 12	Referred for engrossment	970
Apr. 14	Replaced on Select File	1000
Apr. 15	Referred for engrossment	1011
Apr. 19	Correctly engrossed	1033
Apr. 26	Read third time and passed	1115
Apr. 28	Correctly enrolled	1167
Apr. 29	Signed by Speaker	1168
May 1	Presented to Governor	1198
May 1	Approved by Governor	1222

LEGISLATIVE BILL 304 By Gantz

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Judiciary	294
Feb. 8	Notice of hearing	333
Feb. 18	Placed on General File	438
Mar. 9	Referred for review	628
Mar. 16	Placed on Select File	654
Mar. 18	Referred for engrossment	692
Mar. 22	Correctly engrossed	718
Mar. 29	Read third time and passed	826
Mar. 30	Correctly enrolled. Signed by President	840, 841
Mar. 30	Presented to Governor	845
Mar. 31	Approved by Governor	849

LEGISLATIVE BILL 305 By Gantz

Feb. 1	Read first time	254

		Page
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	294
Feb. 10	Rereferred to Committee on Judiciary	355
Feb. 11	Notice of hearing	361
Feb. 18	Placed on General File	438
Mar. 24	Referred for review	778
Mar. 26	Placed on Select File	807
Mar. 30	Referred for engrossment	831
Mar. 31	Correctly engrossed	858
Apr. 7	Read third time and passed	918
Apr. 8	Statement	940
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 12	Approved by Governor	972

LEGISLATIVE BILL 306 By Gantz

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Agriculture	294
Feb. 10	Rereferred to Committee on Judiciary	355
Feb. 11	Notice of hearing	361
Feb. 18	Placed on General File	438
Mar. 9	Referred for review	628
Mar. 16	Placed on Select File	654
Mar. 18	Referred for engrossment	692
Mar. 22	Correctly engrossed	718
Mar. 29	Read third time and passed	825
Mar. 30	Correctly enrolled. Signed by President	840, 841
Mar. 30	Presented to Governor	845
Mar. 31	Approved by Governor	849

LEGISLATIVE BILL 307 By Gantz

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Revenue	294
Feb. 10	Rereferred to Committee on Judiciary	356
Feb. 11	Notice of hearing	361
Feb. 18	Placed on General File	438
Mar. 24	Referred for review	779
Mar. 26	Placed on Select File	807
Mar. 30	Referred for engrossment	831
Mar. 31	Correctly engrossed	858
Apr. 7	Read third time and passed	919
Apr. 8	Statement	940
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 12	Approved by Governor	972

LEGISLATIVE BILL 308 By Gantz

		Page
Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Judiciary	294
Feb. 8	Notice of hearing	333
Feb. 18	Placed on General File	438
Mar. 24	Referred for review	779
Mar. 26	Placed on Select File	807
Mar. 30	Referred for engrossment	831
Mar. 31	Correctly engrossed	858
Apr. 7	Read third time and passed	919
Apr. 8	Statement	940
Apr. 9	Correctly enrolled. Signed by President	941, 945
Apr. 12	Presented to Governor	960
Apr. 12	Approved by Governor	972

LEGISLATIVE BILL 309 By Crossland

Feb. 1	Read first time	254
Feb. 2	Referred to Committee on Revenue	294
Feb. 10	Notice of hearing	354
Mar. 10	Placed on General File	636
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1172
May 5	Placed on Select File	1266
May 6	Referred for engrossment	1285
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1526
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 25	Approved by Governor	1621

LEGISLATIVE BILL 310 By Crossland

Feb. 1	Read first time	255
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	294
Feb. 10	Notice of hearing	353
Apr. 20	Notice of hearing	1064
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 311 By Thompson, Crossland

Feb. 1	Read first time	255
Feb. 2	Referred to Committee on Government	294
Mar. 8	Notice of hearing	596
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 312 By Sorrell

		Page
Feb. 1	Read first time	255
Feb. 2	Referred to Committee on Revenue	294
Feb. 3	Request	299
Feb. 10	Notice of hearing	354
Mar. 10	Indefinitely postponed	636

LEGISLATIVE BILL 313 By Sorrell

Feb. 1	Read first time	255
Feb. 2	Referred to Committee on Revenue	294
Feb. 10	Notice of hearing	353
Mar. 26	Indefinitely postponed	806

LEGISLATIVE BILL 314 By Sorrell

Feb. 1	Read first time	256
Feb. 2	Referred to Committee on Public Works	294
Feb. 17	Notice of hearing	414
Mar. 4	Placed on General File	574
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1169
May 3	Placed on Select File	1216
May 5	Referred for engrossment	1256
May 10	Correctly engrossed	1320
May 17	Laid over	1454
May 18	Read third time and passed	1496
May 19	Correctly enrolled. Signed by President	1513
May 20	Presented to Governor	1534
May 20	Approved by Governor	1542

LEGISLATIVE BILL 315 By Mueller

Feb. 1	Read first time	256
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	294
Feb. 24	Notice of hearing	489
Mar. 22	Indefinitely postponed	714

LEGISLATIVE BILL 316 By Crossland et al

Feb. 1	Read first time	256
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	294
Feb. 24	Notice of hearing	489
Mar. 8	Placed on General File	596

		Page
Apr. 2	Committee report	872
Apr. 2	Referred for review	875
Apr. 7	Placed on Select File	899
Apr. 8	Referred for engrossment	938
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1042
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 317 By Committee on Agriculture

Feb. 1	Read first time	256
Feb. 2	Referred to Committee on Agriculture	294
Feb. 10	Notice of hearing	353
Feb. 19	Placed on General File	450
Apr. 5	Committee report	879
Apr. 5	Laid over	880
Apr. 9	Laid over	946
Apr. 12	Laid over	970
Apr. 15	Notice of special order	1011
Apr. 16	Enacting clause stricken	1028

LEGISLATIVE BILL 318 By James H. Anderson

Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Judiciary	294
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	529
Mar. 25	Placed on General File	783
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1186
May 5	Placed on Select File	1263
May 6	Referred for engrossment	1284
May 12	Correctly engrossed	1368
May 19	Read third time and passed	1501
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 21	Approved by Governor	1557

LEGISLATIVE BILL 319 By Crosby

Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	294
Mar. 4	Notice of hearing	571

		Page
Mar. 5	Rereferred to Committee on Agriculture	592
Mar. 18	Indefinitely postponed	681

LEGISLATIVE BILL 320 By Crosby

Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Mar. 9	Rereferred to Committee on Agriculture	614
Mar. 9	Notice of hearing	615
Mar. 19	Placed on General File	697
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 321 By Brodahl

Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Revenue	294
Feb. 10	Notice of hearing	354
Mar. 10	Placed on General File	635
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1172
May 3	Placed on Select File	1216
May 5	Referred for engrossment	1256
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1452
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 19	Approved by Governor	1542

LEGISLATIVE BILL 322 By Peterson et al

Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Judiciary	294
Feb. 18	Notice of hearing	438
Mar. 22	Placed on General File	717
Apr. 6	Committee report	886
Apr. 16	Referred for review	1032
Apr. 20	Placed on Select File	1058
Apr. 21	Referred for engrossment	1074
Apr. 26	Correctly engrossed	1113
May 3	Read third time and passed	1205
May 3	Statement	1209
May 4	Correctly enrolled. Signed by President	1248
May 5	Presented to Governor	1263
May 6	Approved by Governor	1281

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LEGISLATIVE BILL 323 By Osborne

		Page
Feb. 1	Read first time	257
Feb. 2	Referred to Committee on Agriculture	294
Feb. 10	Notice of hearing	353
Mar. 3	Indefinitely postponed	546

LEGISLATIVE BILL 324 By Osborne

		Page
Feb. 1	Read first time	258
Feb. 2	Referred to Committee on Public Works	294
Feb. 8	Notice of hearing	333
Mar. 4	Indefinitely postponed	574

LEGISLATIVE BILL 325 By Conklin et al

		Page
Feb. 1	Read first time	258
Feb. 2	Referred to Committee on Public Works	294
Feb. 24	Notice of hearing	490
Mar. 8	Indefinitely postponed	606

LEGISLATIVE BILL 326 By Reavis

		Page
Feb. 1	Read first time	258
Feb. 2	Referred to Committee on Government	294
Feb. 11	Notice of hearing	362
Feb. 22	Indefinitely postponed	465

LEGISLATIVE BILL 327 By Peterson

		Page
Feb. 1	Read first time	258
Feb. 2	Referred to Committee on Government	294
Feb. 18	Notice of hearing	438
Mar. 23	Placed on General File	737
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 10	Placed on Select File	1321
May 11	Referred for engrossment	1355
May 12	Replaced on Select File. Referred for engrossment	1374, 1377
May 17	Replaced on Select File	1472
May 18	Referred for engrossment	1485
May 25	Correctly engrossed	1638
May 27	Motion	1667
May 27	Read third time and passed	1678
May 27	Statement	1679
May 28	Correctly enrolled. Signed by President	1687, 1703

		Page
May 28	Presented to Governor	1703
May 28	Approved by Governor	1704

LEGISLATIVE BILL 328 **By Peterson**

Feb. 1	Read first time	258
Feb. 2	Referred to Committee on Judiciary	294
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	529
Mar. 3	Rereferred to Committee on Agriculture	566
Mar. 3	Notice of hearing	566
Mar. 10	Placed on General File	634
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1171
May 6	Placed on Select File	1292
May 7	Referred for engrossment	1303
May 10	Replaced on Select File	1338
May 11	Referred for engrossment	1363
May 14	Correctly engrossed	1446
May 21	Read third time and passed	1552
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 24	Approved by Governor	1615

LEGISLATIVE BILL 329 **By Peterson**

Feb. 1	Read first time	259
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Feb. 24	Notice of hearing	489
Mar. 1	Rereferred to Committee on Public Health and Miscellaneous Subjects	519
Mar. 1	Notice of hearing	519
Mar. 8	Placed on General File	596
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1171
May 6	Placed on Select File	1295
May 7	Referred for engrossment	1303
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1529
May 20	Statement	1529
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 25	Approved by Governor	1633

LEGISLATIVE BILL 330 **By Jeppesen, Mueller**

Feb. 1	Read first time	259

		Page
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Feb. 10	Notice of hearing	354
Mar. 3	Notice of hearing	538
Mar. 25	Placed on General File	793
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 331 By Jeppesen, Mueller

Feb. 1	Read first time	259
Feb. 2	Referred to Committee on Judiciary	294
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	528
Mar. 3	Rereferred to Committee on Agriculture	566
Mar. 3	Notice of hearing	566
Mar. 10	Placed on General File	634
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1172
May 3	Placed on Select File	1216
May 5	Referred for engrossment	1257
May 10	Replaced on Select File	1321
May 11	Referred for engrossment	1355
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1528
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1598

LEGISLATIVE BILL 332 By Jeppesen

Feb. 1	Read first time	259
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	294
Feb. 19	Notice of hearing	449
Mar. 3	Placed on General File	546
Apr. 30	Committee report	1194
May 3	Referred for review	1221
May 7	Placed on Select File	1316
May 10	Laid over	1328
May 11	Laid over	1355
May 12	Replaced on General File. Referred for review	1377
May 17	Placed on Select File	1467
May 18	Referred for engrossment	1484
May 25	Correctly engrossed	1616
May 27	Motion	1667
May 27	Read third time and passed	1668
May 28	Correctly enrolled. Signed by President	1697

		Page
May 28	Presented to Governor	1714
May 29	Approved by Governor	1715

LEGISLATIVE BILL 333 **By Jeppesen**

Feb. 1	Read first time	260
Feb. 2	Referred to Committee on Judiciary	294
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	528
Apr. 6	Indefinitely postponed	882

LEGISLATIVE BILL 334 **By Foster, Neubauer**

Feb. 1	Read first time	260
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	294
Feb. 24	Notice of hearing	490
Mar. 19	Placed on General File	698
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1176
May 3	Placed on Select File	1217
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read. Laid over	1454
May 17	Statement	1459
May 18	Read third time and passed	1497
May 19	Correctly enrolled. Signed by President	1513
May 20	Presented to Governor	1534
May 24	Approved by Governor	1591

LEGISLATIVE BILL 335 **By Hubka**

Feb. 1	Read first time	260
Feb. 2	Referred to Committee on Revenue	294
Feb. 12	Notice of hearing	380
Mar. 3	Notice of hearing	539
Mar. 3	Rereferred to Committee on Agriculture	566
Mar. 3	Notice of hearing	566
Mar. 22	Placed on General File	713
Apr. 30	Committee report	1194
May 10	Referred for review	1339
May 13	Placed on Select File	1389
May 14	Referred for engrossment	1430
May 19	Correctly engrossed	1513
May 24	Read third time and passed	1607
May 25	Correctly enrolled. Signed by President	1622

		Page
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 336 By Hubka

Feb. 1	Read first time	260
Feb. 2	Referred to Committee on Education	294
Feb. 16	Notice of hearing	397
Mar. 23	Placed on General File	742
Apr. 6	Committee report	886
Apr. 19	Indefinitely postponed	1050

LEGISLATIVE BILL 337 By Lee

Feb. 1	Read first time	260
Feb. 2	Referred to Committee on Public Works	294
Feb. 24	Notice of hearing	490
Mar. 4	Placed on General File	573
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1169
May 3	Placed on Select File	1218
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1452
May 18	Correctly enrolled. Signed by President	1478
May 19	Requests. Referred for engrossment	1507
May 20	Correctly engrossed	1542
May 25	Read third time and passed	1627
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1703

LEGISLATIVE BILL 338 By Lee

Feb. 1	Read first time	261
Feb. 2	Referred to Committee on Revenue	294
Feb. 17	Notice of hearing	414
Mar. 24	Indefinitely postponed	765

LEGISLATIVE BILL 339 By Lee

Feb. 1	Read first time	261
Feb. 2	Referred to Committee on Government	294
Feb. 25	Notice of hearing	500
Mar. 8	Placed on General File	604
Apr. 30	Committee report	1194

		Page
May 3	Referred for review	1222
May 7	Placed on Select File	1317
May 10	Referred for engrossment	1328
May 14	Correctly engrossed	1426
May 21	Read third time and passed	1546
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 24	Approved by Governor	1615

LEGISLATIVE BILL 340 By Doyle

Feb. 1	Read first time	261
Feb. 2	Referred to Committee on Agriculture	294
Feb. 15	Notice of hearing	389
Feb. 25	Indefinitely postponed	501
Apr. 5	Motion	878

LEGISLATIVE BILL 341 By Craven

Feb. 1	Read first time	261
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Feb. 10	Notice of hearing	354
Mar. 24	Placed on General File	765
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 342 By Craven

Feb. 1	Read first time	261
Feb. 2	Referred to Committee on Government	294
Feb. 25	Notice of hearing	500
Mar. 10	Indefinitely postponed	636

LEGISLATIVE BILL 343 By Crosby, Raecke

Feb. 1	Read first time	262
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Feb. 10	Notice of hearing	354
Feb. 24	Notice of hearing	490
Mar. 16	Indefinitely postponed	650

LEGISLATIVE BILL 344 By Craven

Feb. 1	Read first time	262
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	294
Feb. 19	Notice of hearing	449
Mar. 10	Indefinitely postponed	634

LEGISLATIVE BILL 345 By Jeffords, Weborg

		Page
Feb. 1	Read first time	262
Feb. 2	Referred to Committee on Government	294
Feb. 18	Notice of hearing	438
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 346 By Doyle

Feb. 1	Read first time	262
Feb. 2	Referred to Committee on Labor and Public Welfare	294
Mar. 9	Rereferred to Committee on Agriculture	614
Mar. 9	Notice of hearing	615
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 347 By Asimus

Feb. 1	Read first time	262
Feb. 2	Referred to Committee on Public Works	295
Feb. 17	Notice of hearing	414
Mar. 4	Indefinitely postponed	574

LEGISLATIVE BILL 348 By Asimus

Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Government	295
Feb. 18	Notice of hearing	438
Mar. 5	Indefinitely postponed	588

LEGISLATIVE BILL 349 By Craven

Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Labor and Public Welfare	295
Mar. 31	Notice of hearing	844
Apr. 8	Indefinitely postponed	932

LEGISLATIVE BILL 350 By Doyle

Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Revenue	295
Feb. 17	Notice of hearing	414
Mar. 18	Placed on General File	682
Apr. 6	Committee report	886
Apr. 16	Considered. Laid over	1030
Apr. 19	Considered	1046
Apr. 19	Enacting clause stricken	1049

LEGISLATIVE BILL 351 By Cullingham

		Page
Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Agriculture	295
Feb. 10	Notice of hearing	353
Feb. 19	Placed on General File	451
Apr. 20	Committee report	1063
Apr. 22	Referred for review	1087
Apr. 26	Placed on Select File	1114
Apr. 28	Referred for engrossment	1146
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1351
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1441

LEGISLATIVE BILL 352 By Cullingham

Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 18	Placed on General File	679
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1173
May 5	Placed on Select File	1267
May 6	Referred for engrossment	1285
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1525
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 25	Approved by Governor	1621

LEGISLATIVE BILL 353 By Tvrdik et al

Feb. 1	Read first time	263
Feb. 2	Referred to Committee on Education	295
Feb. 23	Notice of hearing	480
Mar. 23	Placed on General File	741
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 5	Placed on Select File	1269
May 7	Referred for engrossment	1302
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1527
May 21	Correctly enrolled. Signed by President	1564
May 24	Presented to Governor	1574
May 24	Approved by Governor	1615

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LEGISLATIVE BILL 354 By Jeffords

Feb. 1	Read first time	264
Feb. 2	Referred to Committee on Labor and Public Welfare	295
Mar. 5	Notice of hearing	581
Apr. 1	Indefinitely postponed	860

LEGISLATIVE BILL 355 By Thomas

Feb. 1	Read first time	264
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	295
Feb. 10	Notice of hearing	353
Feb. 22	Placed on General File	463
Feb. 22	Correlated	464
Apr. 20	Committee report	1063
Apr. 22	Referred for review	1087
Apr. 27	Placed on Select File	1139
Apr. 28	Referred for engrossment	1146
May 5	Correctly engrossed	1272
May 17	Laid over	1451
May 18	Read third time and passed	1494
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 21	Approved by Governor	1591

LEGISLATIVE BILL 356 By Thomas

Feb. 1	Read first time	264
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	295
Feb. 10	Notice of hearing	353
Feb. 22	Indefinitely postponed	464

LEGISLATIVE BILL 357 By Klaver

Feb. 1	Read first time	264
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 16	Placed on General File	650
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 358 By Peterson

Feb. 1	Read first time	264
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 22	Indefinitely postponed	718

Page

LEGISLATIVE BILL 359 By Neubauer, Carmody

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Agriculture	295
Feb. 10	Notice of hearing	353
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 360 By Klaver et al

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Judiciary	295
Feb. 16	Notice of hearing	397
Mar. 18	Indefinitely postponed	679
May 11	Motion	1364

LEGISLATIVE BILL 361 By Klaver

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Judiciary	295
Feb. 16	Notice of hearing	397
Mar. 25	Placed on General File	787
Apr. 6	Committee report	886
Apr. 20	Indefinitely postponed	1061

LEGISLATIVE BILL 362 By Klaver

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Education	295
Feb. 23	Notice of hearing	480
Mar. 9	Indefinitely postponed	615

LEGISLATIVE BILL 363 By Mekota

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 25	Placed on General File	782
Apr. 30	Committee report. Referred for review	1194, 1195
May 4	Placed on Select File	1228
May 6	Referred for engrossment	1282
May 14	Correctly engrossed	1446
May 21	Read third time and passed	1555
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 26	Approved by Governor	1673

LEGISLATIVE BILL 364 By Gutoski

Feb. 1	Read first time	265
Feb. 2	Referred to Committee on Judiciary	295

		Page
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	528
Mar. 23	Placed on General File	745
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 5	Placed on Select File	1268
May 6	Referred for engrossment	1285
May 12	Correctly engrossed	1368
May 19	Read third time and passed	1506
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 24	Approved by Governor	1615

LEGISLATIVE BILL 365 By Heiliger

Feb. 1	Read first time	266
Feb. 2	Referred to Committee on Public Works	295
Feb. 17	Notice of hearing	414
Mar. 4	Placed on General File	573
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1169
May 3	Placed on Select File	1218
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1454
May 17	Statement	1459
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 19	Approved by Governor	1542

LEGISLATIVE BILL 366 By Weborg, Burnham

Feb. 1	Read first time	266
Feb. 2	Referred to Committee on Education	295
Feb. 9	Notice of hearing	338
Feb. 17	Placed on General File	415
Feb. 26	Referred for review	516
Mar. 5	Placed on Select File	589
Mar. 8	Referred for review	612
Mar. 16	Correctly engrossed	657
Mar. 23	Read third time and passed	757
Mar. 26	Correctly enrolled. Signed by President	809
Mar. 27	Presented to Governor	822
Mar. 29	Approved by Governor	830

LEGISLATIVE BILL 367 By Craven et al

Feb. 1	Read first time	266

		Page
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 16	Placed on General File	650
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 368 By Craven

Feb. 1	Read first time	266
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	295
Feb. 19	Notice of hearing	449
Mar. 18	Placed on General File	681
Apr. 2	Committee report	872
Apr. 2	Referred for review	875
Apr. 7	Placed on Select File	900
Apr. 8	Referred for engrossment	938
Apr. 9	Replaced on Select File. Referred for engrossment	949, 950
Apr. 20	Replaced on Select File	1058
Apr. 21	Referred for engrossment	1074
Apr. 26	Replaced on Select File. Referred for engrossment	1117
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1275
May 7	Correctly enrolled. Signed by President	1316, 1319
May 10	Presented to Governor	1333
May 12	Approved by Governor	1379

LEGISLATIVE BILL 369 By Craven

Feb. 1	Read first time	267
Feb. 2	Referred to Committee on Revenue	295
Feb. 17	Notice of hearing	414
Mar. 18	Placed on General File	682
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1175
May 3	Placed on Select File	1219
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1456
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 20	Approved by Governor	1542

LEGISLATIVE BILL 370 By Foster, Burnham

Feb. 1	Read first time	267
Feb. 2	Referred to Committee on Government	295

		Page
Feb. 25	Notice of hearing	500
Mar. 24	Indefinitely postponed	772

LEGISLATIVE BILL 371 By Foster

Feb. 1	Read first time	267
Feb. 2	Referred to Committee on Judiciary	295
Feb. 18	Notice of hearing	438
Mar. 8	Placed on General File	604
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 372 By Cullingham, Greenamyre

Feb. 1	Read first time	267
Feb. 2	Referred to Committee on Revenue	295
Feb. 17	Notice of hearing	414
Mar. 18	Placed on General File	682
Apr. 30	Committee report	1194
May 10	Referred for review	1339
May 14	Placed on Select File	1444
May 15	Referred for engrossment	1448
May 21	Correctly engrossed	1564
May 25	Motion. Read third time and passed	1628, 1632
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Vetoed by Governor	1697

LEGISLATIVE BILL 373 By Lee

Feb. 1	Read first time	268
Feb. 2	Referred to Committee on Revenue	295
Feb. 24	Notice of hearing	490
Mar. 10	Indefinitely postponed	636

LEGISLATIVE BILL 374 By Dooley

Feb. 1	Read first time	268
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 3	Rereferred to Committee on Agriculture	566
Mar. 3	Notice of hearing	566
Mar. 10	Placed on General File	635
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 375 By Cullingham

Feb. 1	Read first time	268

		Page
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	295
Feb. 24	Notice of hearing	490
Mar. 2	Notice of hearing	529
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 376 By Cullingham

Feb. 1	Read first time	268
Feb. 2	Referred to Committee on Revenue	295
Feb. 17	Notice of hearing	414
Feb. 26	Notice of hearing	509
Mar. 3	Notice of hearing	539
Mar. 24	Indefinitely postponed	765

LEGISLATIVE BILL 377 By Greenamyre

Feb. 1	Read first time	268
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 22	Indefinitely postponed	718

LEGISLATIVE BILL 378 By Greenamyre

Feb. 1	Read first time	269
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	529
Apr. 1	Indefinitely postponed	860

LEGISLATIVE BILL 379 By Matzke

Feb. 1	Read first time	269
Feb. 2	Referred to Committee on Public Works	295
Feb. 24	Notice of hearing	490
Mar. 9	Correlated with L. B. 214	620

LEGISLATIVE BILL 380 By Tvrdik et al

Feb. 1	Read first time	269
Feb. 2	Referred to Committee on Government	295
Feb. 18	Notice on hearing	438
Mar. 5	Placed on General File	588
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 381 By Doyle, Hanna

		Page
Feb. 1	Read first time	269
Feb. 2	Referred to Committee on Agriculture	295
Feb. 15	Notice of hearing	389
Feb. 25	Indefinitely postponed	501

LEGISLATIVE BILL 382 By Doyle et al

Feb. 1	Read first time	269
Feb. 2	Referred to Committee on Government	295
Mar. 2	Notice of hearing	529
Mar. 3	Notice of hearing	539
Mar. 16	Placed on General File	654
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 383 By Doyle

Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Judiciary	295
Feb. 18	Notice of hearing	438
Apr. 6	Indefinitely postponed	882
May 11	Placed at head of Special File. Laid over	1363, 1366
May 12	Enacting clause stricken	1381

LEGISLATIVE BILL 384 By Klaver et al

Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Education	295
Feb. 23	Notice of hearing	480
Mar. 9	Placed on General File	622
Apr. 30	Committee report	1194
May 15	Considered. Laid over	1449
May 18	Referred for review	1493
May 18	Request, introducer	1499
May 24	Placed on Select File. Referred for engrossment	1579, 1591
May 26	Correctly engrossed	1652
May 28	Statement. Read third time and passed	1692, 1694
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
June 1	Approved by Governor	1715

LEGISLATIVE BILL 385 By Greenamyre

Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Education	295

		Page
Feb. 23	Notice of hearing	480
Mar. 9	Placed on General File	615
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1171
May 3	Placed on Select File	1219
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1456
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 19	Approved by Governor	1542

LEGISLATIVE BILL 386 **By Mischke**

Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Public Works	295
Feb. 8	Notice of hearing	333
Feb. 18	Placed on General File	441
Apr. 20	Committee report	1063
Apr. 22	Referred for review	1086
Apr. 27	Placed on Select File	1143
Apr. 28	Referred for engrossment	1147
May 6	Correctly engrossed	1296
May 13	Read third time and passed	1392
May 14	Correctly enrolled	1426
May 15	Signed by Speaker	1447
May 17	Presented to Governor	1490
May 17	Approved by Governor	1482

LEGISLATIVE BILL 387 **By Matzke**

Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Public Works	295
Feb. 17	Notice of hearing	414
Mar. 4	Placed on General File	573
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1169
May 3	Placed on Select File	1219
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1320
May 17	Read third time and passed	1455
May 17	Statement	1459
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 19	Approved by Governor	1542

LEGISLATIVE BILL 388 By Asimus

		Page
Feb. 1	Read first time	270
Feb. 2	Referred to Committee on Revenue	295
Feb. 24	Notice of hearing	490
Mar. 19	Indefinitely postponed	696

LEGISLATIVE BILL 389 By Hanna et al

Feb. 1	Read first time	271
Feb. 2	Referred to Committee on Appropriations	295
Feb. 5	Notice of hearing	321
Feb. 16	Placed on General File	403
Feb. 25	Referred for review	505
Feb. 25	Explanation of vote	507
Mar. 3	Placed on Select File	569
Mar. 4	Referred for engrossment	579
Mar. 8	Correctly engrossed	605
Mar. 18	Read third time and passed	691
Mar. 19	Correctly enrolled. Signed by President	699, 707
Mar. 20	Presented to Governor	718
Mar. 22	Approved by Governor	732

LEGISLATIVE BILL 390 By Foster

Feb. 1	Read first time	273
Feb. 2	Referred to Committee on Public Health and Miscellaneous Subjects	295
Feb. 24	Notice of hearing	490
Mar. 2	Notice of hearing	529
Mar. 25	Placed on General File	793
Apr. 30	Committee report	1194
May 10	Placed at foot of Special File	1339
May 19	Indefinitely postponed	1519

LEGISLATIVE BILL 391 By Committee on Judiciary

Feb. 1	Read first time	273
Feb. 2	Referred to Committee on Judiciary	295
Feb. 22	Notice of hearing	463
Mar. 2	Notice of hearing	529
Mar. 23	Placed on General File	745
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 5	Placed on Select File	1255
May 6	Referred for engrossment	1283
May 12	Correctly engrossed	1368

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May 19 Read third time and passed....1502
May 20 Correctly enrolled. Signed by President....1521
May 21 Presented to Governor....1551
May 21 Approved by Governor....1557

LEGISLATIVE BILL 392 By Weborg
Feb. 1 Read first time.... 273
Feb. 2 Referred to Committee on Revenue.... 296
Feb. 24 Notice of hearing.... 490
Mar. 5 Notice of hearing.... 581
Mar. 24 Indefinitely postponed 765

LEGISLATIVE BILL 393 By Cullingham
Feb. 1 Read first time.... 273
Feb. 2 Referred to Committee on Government.... 296
Mar. 2 Notice of hearing.... 529
Mar. 3 Notice of hearing.... 539
Mar. 24 Indefinitely postponed 772

LEGISLATIVE BILL 394 By Burnham
Feb. 1 Read first time.... 274
Feb. 2 Referred to Committee on Revenue.... 296
Feb. 24 Notice of hearing.... 490
Mar. 31 Placed on General File.... 853
Apr. 20 Committee report 1067
Apr. 30 Referred for review....1186
May 4 Placed on Select File....1229
May 6 Referred for engrossment....1282
May 13 Correctly engrossed 1387
May 20 Read third time and passed....1524
May 20 Correctly enrolled. Signed by President....1542
May 22 Presented to Governor....1574
May 25 Approved by Governor....1621

LEGISLATIVE BILL 395 By Thomas
Feb. 1 Read first time.... 274
Feb. 2 Referred to Committee on Banking, Commerce and Insurance 296
Feb. 19 Notice of hearing.... 449
Mar. 5 Indefinitely postponed 588

LEGISLATIVE BILL 396 By James H. Anderson
Feb. 1 Read first time.... 274

		Page
Feb. 2	Referred to Committee on Judiciary	296
Feb. 22	Notice of hearing	463
Mar. 18	Placed on General File	679
Apr. 20	Committee report	1063
Apr. 29	Referred for review	1173
May 3	Placed on Select File	1219
May 5	Referred for engrossment	1257
May 10	Correctly engrossed	1333
May 17	Read third time and passed	1458
May 18	Correctly enrolled. Signed by President	1478
May 19	Presented to Governor	1520
May 20	Approved by Governor	1557

LEGISLATIVE BILL 397 By James H. Anderson

Feb. 1	Read first time	275
Feb. 2	Referred to Committee on Public Works	296
Mar. 23	Notice of hearing	734
Apr. 1	Indefinitely postponed	860

LEGISLATIVE BILL 398 By Greenamyre

Feb. 1	Read first time	275
Feb. 2	Referred to Committee on Claims and Deficiencies	296
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 399 By Doyle

Feb. 1	Read first time	275
Feb. 2	Referred to Committee on Government	296
Mar. 22	Notice of hearing	713
May 11	Indefinitely postponed	1365

LEGISLATIVE BILL 400 By Gutoski

Feb. 1	Read first time	276
Feb. 2	Referred to Committee on Banking, Commerce and Insurance	296
Feb. 2	Request, introducer	296
Feb. 19	Notice of hearing	449
Mar. 22	Placed on General File	715
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 6	Placed on Select File	1293
May 7	Considered. Laid over	1303
May 10	Referred for engrossment	1327

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May 13	Replaced on Select File	1390
May 14	Referred for engrossment	1431
May 19	Correctly engrossed	1513
May 24	Read third time and passed	1608
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

LEGISLATIVE BILL 401 By Hanna

Feb. 1	Read first time	276
Feb. 2	Referred to Committee on Labor and Public Welfare	296
Mar. 5	Notice of hearing	581
Apr. 1	Indefinitely postponed	860

LEGISLATIVE BILL 402 By Norman et al

Feb. 1	Read first time	277
Feb. 2	Referred to Committee on Government	296
Mar. 2	Notice of hearing	529
Mar. 3	Notice of hearing	539
Mar. 22	Placed on General File	718
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1184
May 3	Placed on Select File	1220
May 6	Referred for engrossment	1280
May 12	Correctly engrossed	1368
May 19	Read third time and passed	1504
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 21	Approved by Governor	1557

LEGISLATIVE BILL 403 By Tvrdik et al

Feb. 1	Read first time	277
Feb. 2	Referred to Committee on Revenue	296
Feb. 10	Notice of hearing	353
Mar. 5	Placed on General File	582
Apr. 2	Committee report	872
Apr. 2	Referred for review	874
Apr. 7	Placed on Select File	896
Apr. 8	Referred for engrossment	937
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1041
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

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LEGISLATIVE BILL 404 By Garber

Feb. 1	Read first time	277
Feb. 2	Referred to Committee on Revenue	296
Feb. 24	Notice of hearing	490
Mar. 19	Indefinitely postponed	696

LEGISLATIVE BILL 405 By Committee on Public Works

Feb. 5	Read first time	323
Feb. 8	Notice of hearing	333
Feb. 8	Referred to Committee on Public Works	336
Mar. 8	Placed on General File	607
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 7	Notice of special order	1312
May 10	Laid over	1335
May 19	Indefinitely postponed	1512

LEGISLATIVE BILL 406 By Committee on Agriculture

Feb. 9	Read first time	347
Feb. 10	Referred to Committee on Agriculture	355
Feb. 15	Notice of hearing	389
Feb. 25	Placed on General File	501
Apr. 30	Committee report. Referred for review	1194, 1197
May 3	Placed on Select File	1220
May 6	Indefinitely postponed	1281

LEGISLATIVE BILL 407 By Committee on Education

Feb. 9	Read first time	348
Feb. 10	Referred to Committee on Revenue	355
Mar. 3	Notice of hearing	539
Mar. 19	Indefinitely postponed	696
Apr. 19	Motion. Placed on General File	1039
Apr. 20	Committee report. Referred for review	1063, 1066
Apr. 22	Placed on Select File	1083
Apr. 26	Replaced on General File. Referred for review	1118, 1119, 1120
Apr. 27	Replaced on Select File	1140
Apr. 30	Referred for engrossment	1183
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1352
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1439

LEGISLATIVE BILL 408 By Committee on Public Works

		Page
Feb. 11	Read first time	377
Feb. 11	Referred to Committee on Public Works	377
Feb. 24	Notice of hearing	490
Mar. 8	Placed on General File	607
Apr. 20	Committee report	1063
Apr. 22	Request. Motion	1089, 1092
May 7	Laid over	1312
May 10	Laid over	1335
May 19	Indefinitely postponed	1512

LEGISLATIVE BILL 409 By Mekota

Feb. 11	Read first time	377
Feb. 11	Referred to Committee on Government	378
Feb. 18	Notice of hearing	438
Mar. 1	Placed on General File	520
Mar. 2	Referred for review	537
Mar. 17	Placed on Select File	663
Mar. 18	Referred for engrossment	692
Mar. 22	Correctly engrossed	718
Mar. 29	Read third time and passed	824
Mar. 31	Correctly enrolled	845
Mar. 31	Signed by President	846
Apr. 2	Presented to Governor	883
Apr. 5	Approved by Governor	890

LEGISLATIVE BILL 410 By Committee on Appropriations

Feb. 19	Read first time	454
Feb. 19	Referred to Committee on Appropriations	455
Feb. 22	Notice of hearing	463
Mar. 3	Placed on General File	540
Apr. 6	Committee report	886
Apr. 9	Laid over	953
Apr. 12	Considered. Laid over	970
Apr. 15	Referred for review	1011
Apr. 19	Placed on Select File	1036
Apr. 21	Referred for engrossment	1073
Apr. 26	Correctly engrossed	1123
May 3	Read third time and passed	1207
May 4	Correctly enrolled. Signed by President	1248
May 5	Presented to Governor	1263
May 6	Approved by Governor	1281

LEGISLATIVE BILL 411 By Committee on Appropriations

		Page
Feb. 24	Read first time. Referred to Committee on Appropriations	497
Mar. 2	Notice of hearing	529
Mar. 9	Placed on General File	620
Apr. 6	Committee report	886
Apr. 15	Read and considered	1012
Apr. 15	Laid over	1016
Apr. 16	Indefinitely postponed	1026

LEGISLATIVE BILL 412 By Committee on Appropriations

Feb. 25	Read first time. Referred to Committee on Appropriations	505
Mar. 2	Notice of hearing	529
Mar. 9	Placed on General File	620
Apr. 5	Committee report. Referred for review	879, 881
Apr. 7	Placed on Select File	901
Apr. 8	Considered. Referred for engrossment	938, 939
Apr. 12	Correctly engrossed	961
Apr. 19	Read third time and passed	1040
Apr. 20	Correctly enrolled. Signed by President	1059
Apr. 21	Presented to Governor	1077
Apr. 21	Approved by Governor	1088

LEGISLATIVE BILL 413 By Committee on Government

Mar. 1	Committee report	522
Mar. 1	Read first time	523
Mar. 1	Referred to Committee on Government	524
Mar. 22	Notice of hearing	713
Apr. 1	Placed on General File	860
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1187
May 7	Placed on Select File	1317
May 10	Referred for engrossment	1328
May 14	Correctly engrossed	1426
May 21	Read third time and passed	1548
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 24	Approved by Governor	1615

LEGISLATIVE BILL 414 By Committee on Judiciary

Mar. 1	Committee report	522
Mar. 1	Read first time	523

		Page
Mar. 1	Referred to Committee on Judiciary	524
Mar. 2	Notice of hearing	528
Mar. 23	Placed on General File	746
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 5	Placed on Select File	1268
May 7	Referred for engrossment	1302
May 14	Correctly engrossed	1426
May 21	Read third time and passed	1545
May 24	Correctly enrolled. Signed by President	1588, 1589
May 24	Presented to Governor	1697
May 24	Approved by Governor	1615

LEGISLATIVE BILL 415 By Committee on Judiciary

Mar. 1	Committee report	522
Mar. 1	Read first time	523
Mar. 1	Referred to Committee on Judiciary	524
Mar. 2	Notice of hearing	528
Mar. 23	Placed on General File	746
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1185
May 12	Placed on Select File	1369
May 13	Referred for engrossment	1395
May 21	Correctly engrossed	1564
May 25	Motion. Read third time and passed	1628, 1629
May 26	Correctly enrolled. Signed by President	1654
May 27	Presented to Governor	1681
May 27	Approved by Governor	1703

LEGISLATIVE BILL 416 By Committee on Appropriations

Mar. 2	Read first time. Referred to Committee on Appropriations	530
Mar. 3	Notice of hearing	566
Mar. 10	Placed on General File	632
Apr. 6	Committee report	886
Apr. 15	Referred for review	1022
Apr. 20	Placed on Select File	1059
Apr. 21	Referred for engrossment	1074
Apr. 26	Correctly engrossed	1113
May 3	Read third time and passed	1206
May 3	Statement	1209
May 4	Correctly enrolled. Signed by President	1248
May 5	Presented to Governor	1263
May 6	Approved by Governor	1281

LEGISLATIVE BILL 417 **By Committee on Labor and Public Welfare**

		Page
Mar. 4	Read first time. Referred to Committee on Appropriations	575, 576
Mar. 5	Notice of hearing	582
Mar. 19	Placed on General File	697
Apr. 6	Committee report	886
Apr. 16	Referred for review	1031
Apr. 21	Placed on Select File	1079
Apr. 22	Referred for engrossment	1085
Apr. 26	Replaced on Select File. Referred for engrossment	1117, 1118
Apr. 26	Correctly engrossed	1123
Apr. 27	Returned for correction	1133
Apr. 28	Correctly engrossed	1167
May 5	Read third time and passed	1255
May 5	Correctly enrolled. Signed by President	1273
May 6	Presented to Governor	1291
May 10	Vetoed by Governor	1331

LEGISLATIVE BILL 418 **By Committee on Agriculture**

		Page
Mar. 5	Read first time. Referred to Committee on Agriculture	591, 592
Mar. 8	Notice of hearing	595
Mar. 18	Placed on General File	681
Apr. 20	Committee report	1063
Apr. 29	Considered. Laid over	1173
May 3	Laid over	1220
May 7	Referred for review	1314
May 13	Placed on Select File	1422
May 14	Referred for engrossment	1432
May 20	Correctly engrossed	1542
May 25	Read third time and passed	1625
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1674

LEGISLATIVE BILL 419 **By Committee on Banking, Commerce and Insurance**

		Page
Mar. 5	Read first time. Referred to Committee on Banking, Commerce and Insurance	592
Mar. 10	Notice of hearing	631
Mar. 18	Placed on General File	681

		Page
Apr. 20	Committee report	1063
May 15	Referred for review	1448
May 17	Placed on Select File	1465
May 18	Referred for engrossment	1483
May 21	Correctly engrossed	1551
May 25	Motion. Read and laid over	1628
May 28	Read third time and passed	1700
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
May 28	Approved by Governor	**1712**

LEGISLATIVE BILL 420 By Committee on Government

Mar. 8	Read first time. Referred to Committee on Government	609, 610
Mar. 8	Notice of hearing	596
Mar. 25	Placed on General File	789
Apr. 20	Committee report	1063
May 7	Considered. Laid over	1313
May 10	Considered. Laid over	1336, 1337
May 11	Considered	1366
May 12	Considered. Referred for review	1378, 1379
May 19	Replaced on General File. Referred for review	1508
May 19	Request	1512
May 20	Placed on Select File	1541
May 21	Referred for engrossment	1560
May 24	Replaced on Select File. Referred for engrossment	1596, 1598
May 26	Replaced on Select File. Referred for engrossment	1651, 1652
May 26	Correctly engrossed	1655
May 28	Motion. Read third time and passed	1692, 1695
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
May 28	Approved by Governor	1712

LEGISLATIVE BILL 421 By Committee on Appropriations

Mar. 10	Read first time	638
Mar. 16	Referred to Committee on Appropriations	659
Mar. 18	Notice of hearing	677
Mar. 26	Placed on General File	807
Apr. 6	Committee report	886
Apr. 20	Referred for review	1065
Apr. 22	Placed on Select File	**1094**
Apr. 26	Referred for engrossment	**1119**

		Page
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1278
May 7	Correctly enrolled. Signed by President	1316, 1319
May 10	Presented to Governor	1333
May 10	Approved by Governor	1330

LEGISLATIVE BILL 422 By Committee on Appropriations

Mar. 16	Read first time. Referred to Committee on Appropriations	659
Mar. 18	Notice of hearing	677
Mar. 26	Placed on General File	807
Apr. 20	Committee report	1063
Apr. 30	Referred for review	1186
May 5	Placed on Select File	1269
May 7	Referred for engrossment	1302
May 13	Correctly engrossed	1387
May 20	Read third time and passed	1523
May 20	Correctly enrolled. Signed by President	1542
May 22	Presented to Governor	1574
May 22	Approved by Governor	1598

LEGISLATIVE BILL 423 By Committee on Appropriations

Mar. 17	Read first time. Referred to Committee on Appropriations	671
Mar. 19	Notice of hearing	696
Mar. 23	Notice of hearing	735
Mar. 26	Placed on General File	807
Apr. 6	Committee report	886
Apr. 20	Referred for review	1065
Apr. 21	Placed on Select File	1077
Apr. 26	Referred for engrossment	1118
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1279
May 7	Correctly enrolled. Signed by President	1316, 1319
May 10	Presented to Governor	1333
May 10	Approved by Governor	1330

LEGISLATIVE BILL 424 By Committee on Public Health and Miscellaneous Subjects

Mar. 18	Report	686
Mar. 19	Read first time. Referred to Committee on Public Health and Miscellaneous Subjects	708
Mar. 25	Notice of hearing	782

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Apr. 9	Placed on General File	943
Apr. 30	Committee report	1194
May 10	Referred for review	1340
May 13	Placed on Select File	1421
May 14	Referred for engrossment	1432
May 20	Correctly engrossed	1542
May 25	Read third time and passed	1623
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1674

LEGISLATIVE BILL 425 By Garber

Mar. 19	Motion	709
Mar. 19	Read first time. Referred for review	709
Mar. 26	Placed on Select File	807
Mar. 29	Referred for engrossment	827
Mar. 31	Correctly engrossed	845
Apr. 7	Read third time and passed	914
Apr. 15	Correctly enrolled. Signed by Speaker	1016
Apr. 16	Presented to Governor	1032
Apr. 16	Approved by Governor	1048

LEGISLATIVE BILL 426 By Committee on Judiciary

Mar. 22	Committee statement	720
Mar. 22	Read first time	720
Mar. 23	Referred to Committee on Judiciary	749
Mar. 25	Committee report	782
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Mar. 31	Notice of hearing	844
Apr. 15	Indefinitely postponed	1015

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Mar. 22	Read first time	720
Mar. 23	Referred to Committee on Judiciary	749
Mar. 25	Notice of hearing	781
Apr. 1	Placed on General File	860
Apr. 20	Committee report	1063
Apr. 30	Laid over	1187
May 10	Laid over	1339
May 19	Indefinitely postponed	1519

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Mar. 26	Notice of hearing	806
Apr. 2	Placed on General File	870
Apr. 6	Committee report	886
Apr. 20	Referred for review	1066
Apr. 22	Placed on Select File	1084
Apr. 26	Referred for engrossment	1118
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1279
May 7	Correctly enrolled. Signed by President	1316, 1319
May 10	Presented to Governor	1333
May 10	Approved by Governor	1330

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Apr. 20	Committee report	1063
Apr. 20	Read and considered	1066
Apr. 21	Laid over	1075
Apr. 22	Referred for review	1085
Apr. 26	Placed on Select File	1114
Apr. 28	Referred for engrossment	1146
May 4	Correctly engrossed	1248
May 11	Read third time and passed	1353
May 12	Correctly enrolled. Signed by President	1368, 1374
May 14	Presented to Governor	1425
May 14	Approved by Governor	1441

LEGISLATIVE BILL 430 By Committee on Government

Apr. 1	Read first time	861
Apr. 1	Referred to Committee on Government	866
Apr. 1	Notice of hearing	859
Apr. 8	Placed on General File	932
Apr. 20	Committee report	1063
Apr. 21	Indefinitely postponed	1075

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Apr.	30	Committee report	1194
May	10	Referred for review	1340
May	13	Placed on Select File	1423
May	14	Referred for engrossment	1432
May	18	Correctly engrossed	1491
May	22	Replaced on Select File. Referred for engrossment	1571
May	24	Replaced on Select File. Referred for engrossment	1579, 1590
May	25	Correctly engrossed	1616
May	27	Motion	1667
May	27	Read third time and passed	1669
May	28	Correctly enrolled. Signed by President	1687, 1703
May	28	Presented to Governor	1703
May	28	Approved by Governor	1704

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Apr.	6	Read first time. Placed on General File	887
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May	6	Referred for engrossment	1282
May	12	Correctly engrossed	1368
May	19	Read third time and passed	1504
May	20	Correctly enrolled. Signed by President	1521
May	21	Presented to Governor	1551
May	21	Approved by Governor	1577

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Apr.	7	Statement	923
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Apr.	27	Placed on Select File	1140
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May	3	Replaced on Select File	1220
May	4	Referred for engrossment	1235
May	5	Correctly engrossed	1258
May	12	Read third time and passed	1376
May	13	Correctly enrolled. Signed by President	1423
May	14	Presented to Governor	1442
May	15	Approved by Governor	1449

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Apr. 22	Referred for review	1085
Apr. 23	Placed on Select File	1110
Apr. 28	Referred for engrossment	1146
Apr. 29	Correctly engrossed	1181
May 6	Read third time and passed	1274
May 6	Correctly enrolled. Signed by President	1280, 1281
May 6	Presented to Governor	1291
May 6	Approved by Governor	1299

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Apr. 8	Statement	932
Apr. 8	Read first time. Referred to Committee on Education	932, 933
Apr. 8	Notice of hearing	939
Apr. 14	Placed on General File	1001
Apr. 20	Committee report	1063
May 7	Referred for review	1313
May 13	Placed on Select File	1390
May 14	Referred for engrossment	1431
May 21	Correctly engrossed	1551
May 25	Motion. Read third time and passed	1628
May 26	Correctly enrolled. Signed by President	1651, 1652
May 27	Presented to Governor	1681
May 27	Approved by Governor	1674

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Apr. 8	Read first time. Referred to Committee on Education	932, 933
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Apr. 20	Committee report	1063
May 7	Referred for review	1314
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May 18	Correctly engrossed	1491
May 24	Read third time and passed	1601
May 24	Statement	1613
May 25	Correctly enrolled. Signed by President	1622
May 26	Presented to Governor	1643
May 26	Approved by Governor	1650

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Apr. 14	Read first time. Referred to Committee on Appropriations	1005
Apr. 14	Notice of hearing	1000
Apr. 23	Placed on General File	1095
Apr. 30	Committee report	1194
May 19	Motion	1519
May 20	Considered. Referred for review	1535, 1536
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May 28	Motion. Read third time and passed	1692, 1694
May 28	Correctly enrolled. Signed by President	1703, 1704
May 28	Presented to Governor	1712
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May 6	Referred for engrossment	1283
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May 19	Read third time and passed	1505
May 20	Correctly enrolled. Signed by President	1521
May 21	Presented to Governor	1551
May 21	Approved by Governor	1557

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May 5	Considered. Laid over	1259
May 10	Considered. Laid over	1335
May 12	Referred for review	1383
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May 18	Referred for engrossment	1483
May 24	Correctly engrossed	1588
May 26	Motion	1646
May 26	Read third time and passed	1647
May 26	Correctly enrolled. Signed by President	1656
May 27	Presented to Governor	1681
May 27	Approved by Governor	1703

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May 13	Read first time. Placed on General File	1411
May 19	Indefinitely postponed	1519

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May 13	Read first time. Placed on General File	1411
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May 24	Correctly enrolled. Signed by President	1609, 1613

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May 19 Indefinitely postponed 1519
May 21 Motion 1558

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